

AMENDED IN ASSEMBLY SEPTEMBER 6, 2013  
AMENDED IN ASSEMBLY SEPTEMBER 3, 2013  
AMENDED IN ASSEMBLY AUGUST 15, 2013  
AMENDED IN ASSEMBLY AUGUST 7, 2013  
AMENDED IN SENATE MAY 24, 2013  
AMENDED IN SENATE MAY 8, 2013  
AMENDED IN SENATE APRIL 17, 2013

**SENATE BILL**

**No. 344**

---

---

**Introduced by Senator Padilla**

February 20, 2013

---

---

An act to amend Sections 41020, 42127, 42238.07, 52052, 52060, 52061, 52062, 52063, 52064, 52066, 52067, 52068, 52069, 52070, 52070.5, 52071, and 52071.5 of, and to add Section 54030 to, the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 344, as amended, Padilla. Schools.

(1) Existing law establishes the public school system in this state and, among other things, provides for the establishment of county superintendents of schools, school districts, and charter schools throughout the state. Existing law provides for the provision of instruction at the public elementary and secondary schools maintained by these local educational agencies. Existing law establishes a public school financing system.

This bill would require an audit of a school district to include whether expenditures were in compliance with the regulations related to the

expenditure of moneys apportioned on the basis of the number and concentration of unduplicated pupils, as defined.

(2) Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index to measure the performance of schools and school districts, especially the academic performance of pupils. Existing law requires a school or school district to demonstrate comparable improvement in academic achievement as measured by the Academic Performance Index by all numerically significant pupil subgroups at the school or school district, as specified.

This bill would add reclassified English learners, as provided, to the list of pupil subgroups concerning which a school or school district is required to demonstrate this improvement, if the subgroup is numerically significant. By adding to the duties of local educational agencies, this bill would impose a state-mandated local program.

(3) Existing law requires a county board of education and a governing board of a school district to annually adopt or revise a local control and accountability plan that aligns with its annual budget and contains certain elements and that, among other things, was developed in consultation with teachers, principals, administrators, other school personnel, parents, and pupils. Existing law requires a charter for a charter school to include many of the local control and accountability plan elements and requires the charter school to annually update its plan related to those elements.

Existing law, an initiative measure, requires that all children in public schools, with certain exceptions, be taught English by being taught in English, requires that all children be placed in English language classrooms, and requires that children who are English learners be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year.

This bill would revise provisions regarding local control and accountability plans, primarily in regard to English learners, including requiring the governing board of a school district to include a listing and description of certain expenditures in its local control and accountability plan, as specified. The bill would require that specified templates developed by the State Board of Education ensure that each school district, county superintendent of schools, or charter school that receives supplemental and concentration funds for unduplicated pupils include specified information in its local control and accountability

plan. By adding to the duties of local educational agencies, this bill would impose a state-mandated local program.

(4) Existing law requires the governing board of a school district to establish a parent advisory committee to provide advice to the governing board of the school district and the superintendent of the school district, as specified. Existing law additionally requires the governing board of a school district to establish an English learner parent advisory committee if the enrollment of the school district includes at least 15% English learners and the school district enrolls at least 50 pupils who are English learners.

This bill would instead require the governing board of a school district to establish a districtwide parent advisory committee and, as a condition of supplemental state grant funds, if the enrollment of the school district includes at least 15% English learners or the school district enrolls at least 50 pupils who are English learners, to establish a districtwide English learner parent advisory committee. The bill would require the districtwide English learner parent advisory committee to advise the governing board on specified tasks, including, among others, the establishment of school district goals and objectives for programs and services for English learners and school district reclassification procedures.

(5) Existing law requires a county superintendent of schools to establish an English learner parent advisory committee if the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15% English learners and the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

This bill would instead require a county superintendent of schools to establish an English learner parent advisory committee if the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15% English learners or the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

*(6) This bill would incorporate additional changes in Sections 42127, 52060, and 52066 of the Education Code proposed by AB 103, to be operative only if AB 103 and this bill are both enacted and become effective on or before January 1, 2014, to the extent each bill amends Sections 42127, 52060, and 52066 of the Education Code, and this bill is enacted after AB 103. The bill would also incorporate additional changes in Section 52052 of the Education Code proposed by AB 484,*

*to be operative only if AB 484 and this bill are both enacted and become effective on or before January 1, 2014, both bills amend Section 52052 of the Education Code, and this bill is enacted after AB 484.*

~~(6)~~

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 41020 of the Education Code is amended  
2 to read:  
3 41020. (a) It is the intent of the Legislature to encourage sound  
4 fiscal management practices among local educational agencies for  
5 the most efficient and effective use of public funds for the  
6 education of children in California by strengthening fiscal  
7 accountability at the school district, county, and state levels.  
8 (b) (1) Not later than the first day of May of each fiscal year,  
9 each county superintendent of schools shall provide for an audit  
10 of all funds under his or her jurisdiction and control and the  
11 governing board of each local educational agency shall either  
12 provide for an audit of the books and accounts of the local  
13 educational agency, including an audit of income and expenditures  
14 by source of funds, or make arrangements with the county  
15 superintendent of schools having jurisdiction over the local  
16 educational agency to provide for that auditing.  
17 (2) A contract to perform the audit of a local educational agency  
18 that has a disapproved budget or has received a negative  
19 certification on any budget or interim financial report during the  
20 current fiscal year or either of the two preceding fiscal years, or  
21 for which the county superintendent of schools has otherwise  
22 determined that a lack of going concern exists, is not valid unless  
23 approved by the responsible county superintendent of schools and  
24 the governing board.

1 (3) If the governing board of a local educational agency has not  
2 provided for an audit of the books and accounts of the local  
3 educational agency by April 1, the county superintendent of schools  
4 having jurisdiction over the local educational agency shall provide  
5 for the audit of each local educational agency.

6 (4) An audit conducted pursuant to this section shall comply  
7 fully with the Government Auditing Standards issued by the  
8 Comptroller General of the United States.

9 (5) For purposes of this section, “local educational agency” does  
10 not include community colleges.

11 (c) Each audit conducted in accordance with this section shall  
12 include all funds of the local educational agency, including the  
13 student body and cafeteria funds and accounts and any other funds  
14 under the control or jurisdiction of the local educational agency.  
15 Each audit shall also include an audit of pupil attendance  
16 procedures. Each audit shall include a determination of whether  
17 funds were expended pursuant to a local control and accountability  
18 plan or an approved annual update to a local control and  
19 accountability plan pursuant to Article 4.5 (commencing with  
20 Section 52060) of Chapter 6.1 of Part 28 of Division 4 and whether  
21 expenditures were in compliance with the regulations adopted  
22 pursuant to Section 42238.07.

23 (d) All audit reports for each fiscal year shall be developed and  
24 reported using a format established by the Controller after  
25 consultation with the Superintendent and the Director of Finance.

26 (e) (1) The cost of the audits provided for by the county  
27 superintendent of schools shall be paid from the county school  
28 service fund and the county superintendent of schools shall transfer  
29 the pro rata share of the cost chargeable to each school district  
30 from school district funds.

31 (2) The cost of the audit provided for by a governing board of  
32 a local educational agency shall be paid from local educational  
33 agency funds. The audit of the funds under the jurisdiction and  
34 control of the county superintendent of schools shall be paid from  
35 the county school service fund.

36 (f) (1) The audits shall be made by a certified public accountant  
37 or a public accountant, licensed by the California Board of  
38 Accountancy, and selected by the local educational agency, as  
39 applicable, from a directory of certified public accountants and  
40 public accountants deemed by the Controller as qualified to conduct

1 audits of local educational agencies, which shall be published by  
2 the Controller not later than December 31 of each year.

3 (2) Commencing with the 2003–04 fiscal year and except as  
4 provided in subdivision (d) of Section 41320.1, it is unlawful for  
5 a public accounting firm to provide audit services to a local  
6 educational agency if the lead audit partner, or coordinating audit  
7 partner, having primary responsibility for the audit, or the audit  
8 partner responsible for reviewing the audit, has performed audit  
9 services for that local educational agency in each of the six previous  
10 fiscal years. The Education Audits Appeal Panel may waive this  
11 requirement if the panel finds that no otherwise eligible auditor is  
12 available to perform the audit.

13 (3) It is the intent of the Legislature that, notwithstanding  
14 paragraph (2), the rotation within public accounting firms conform  
15 to provisions of the federal Sarbanes-Oxley Act of 2002 (Public  
16 Law 107-204; 15 U.S.C. Sec. 7201 et seq.), and upon release of  
17 the report required by the act of the Comptroller General of the  
18 United States addressing the mandatory rotation of registered  
19 public accounting firms, the Legislature intends to reconsider the  
20 provisions of paragraph (2). In determining which certified public  
21 accountants and public accountants shall be included in the  
22 directory, the Controller shall use the following criteria:

23 (A) The certified public accountants or public accountants shall  
24 be in good standing as certified by the California Board of  
25 Accountancy.

26 (B) The certified public accountants or public accountants, as  
27 a result of a quality control review conducted by the Controller  
28 pursuant to Section 14504.2, shall not have been found to have  
29 conducted an audit in a manner constituting noncompliance with  
30 subdivision (a) of Section 14503.

31 (g) (1) The auditor's report shall include each of the following:

32 (A) A statement that the audit was conducted pursuant to  
33 standards and procedures developed in accordance with Chapter  
34 3 (commencing with Section 14500) of Part 9 of Division 1 of  
35 Title 1.

36 (B) A summary of audit exceptions and management  
37 improvement recommendations.

38 (C) Each audit of a local educational agency shall include an  
39 evaluation by the auditor on whether there is substantial doubt  
40 about the ability of the local educational agency to continue as a

1 going concern for a reasonable period of time. This evaluation  
2 shall be based on the Statement on Auditing Standards (SAS) No.  
3 59, as issued by the AICPA regarding disclosure requirements  
4 relating to the ability of the entity to continue as a going concern.

5 (2) To the extent possible, a description of correction or plan  
6 of correction shall be incorporated in the audit report, describing  
7 the specific actions that are planned to be taken, or that have been  
8 taken, to correct the problem identified by the auditor. The  
9 descriptions of specific actions to be taken or that have been taken  
10 shall not solely consist of general comments such as “will  
11 implement,” “accepted the recommendation,” or “will discuss at  
12 a later date.”

13 (h) Not later than December 15, a report of each local  
14 educational agency audit for the preceding fiscal year shall be filed  
15 with the county superintendent of schools of the county in which  
16 the local educational agency is located, the department, and the  
17 Controller. The Superintendent shall make any adjustments  
18 necessary in future apportionments of all state funds, to correct  
19 any audit exceptions revealed by those audit reports.

20 (i) (1) Commencing with the 2002–03 audit of local educational  
21 agencies pursuant to this section and subdivision (d) of Section  
22 41320.1, each county superintendent of schools shall be responsible  
23 for reviewing the audit exceptions contained in an audit of a local  
24 educational agency under his or her jurisdiction related to  
25 attendance, inventory of equipment, internal control, and any  
26 miscellaneous items, and determining whether the exceptions have  
27 been either corrected or an acceptable plan of correction has been  
28 developed.

29 (2) Commencing with the 2004–05 audit of local educational  
30 agencies pursuant to this section and subdivision (d) of Section  
31 41320.1, each county superintendent of schools shall include in  
32 the review of audit exceptions performed pursuant to this  
33 subdivision those audit exceptions related to use of instructional  
34 materials program funds, teacher misassignments pursuant to  
35 Section 44258.9, information reported on the school accountability  
36 report card required pursuant to Section 33126 and shall determine  
37 whether the exceptions are either corrected or an acceptable plan  
38 of correction has been developed.

39 (j) Upon submission of the final audit report to the governing  
40 board of each local educational agency and subsequent receipt of

1 the audit by the county superintendent of schools having  
2 jurisdiction over the local educational agency, the county office  
3 of education shall do all of the following:

4 (1) Review audit exceptions related to attendance, inventory of  
5 equipment, internal control, and other miscellaneous exceptions.  
6 Attendance exceptions or issues shall include, but not be limited  
7 to, those related to local control funding formula allocations  
8 pursuant to Section 42238.02, as implemented by Section 42238.03,  
9 and independent study.

10 (2) If a description of the correction or plan of correction has  
11 not been provided as part of the audit required by this section, then  
12 the county superintendent of schools shall notify the local  
13 educational agency and request the governing board of the local  
14 educational agency to provide to the county superintendent of  
15 schools a description of the corrections or plan of correction by  
16 March 15.

17 (3) Review the description of correction or plan of correction  
18 and determine its adequacy. If the description of the correction or  
19 plan of correction is not adequate, the county superintendent of  
20 schools shall require the local educational agency to resubmit that  
21 portion of its response that is inadequate.

22 (k) Each county superintendent of schools shall certify to the  
23 Superintendent and the Controller, not later than May 15, that his  
24 or her staff has reviewed all audits of local educational agencies  
25 under his or her jurisdiction for the prior fiscal year, that all  
26 exceptions that the county superintendent was required to review  
27 were reviewed, and that all of those exceptions, except as otherwise  
28 noted in the certification, have been corrected by the local  
29 educational agency or that an acceptable plan of correction has  
30 been submitted to the county superintendent of schools. In addition,  
31 the county superintendent shall identify, by local educational  
32 agency, any attendance-related audit exception or exceptions  
33 involving state funds, and require the local educational agency to  
34 which the audit exceptions were directed to submit appropriate  
35 reporting forms for processing by the Superintendent.

36 (l) In the audit of a local educational agency for a subsequent  
37 year, the auditor shall review the correction or plan or plans of  
38 correction submitted by the local educational agency to determine  
39 if the exceptions have been resolved. If not, the auditor shall  
40 immediately notify the appropriate county office of education and

1 the department and restate the exception in the audit report. After  
2 receiving that notification, the department shall either consult with  
3 the local educational agency to resolve the exception or require  
4 the county superintendent of schools to follow up with the local  
5 educational agency.

6 (m) (1) The Superintendent shall be responsible for ensuring  
7 that local educational agencies have either corrected or developed  
8 plans of correction for any one or more of the following:

9 (A) All federal and state compliance audit exceptions identified  
10 in the audit.

11 (B) Any exceptions that the county superintendent certifies as  
12 of May 15 have not been corrected.

13 (C) Any repeat audit exceptions that are not assigned to a county  
14 superintendent to correct.

15 (2) In addition, the Superintendent shall be responsible for  
16 ensuring that county superintendents of schools and each county  
17 board of education that serves as the governing board of a local  
18 educational agency either correct all audit exceptions identified in  
19 the audits of county superintendents of schools and of the local  
20 educational agencies for which the county boards of education  
21 serve as the governing boards or develop acceptable plans of  
22 correction for those exceptions.

23 (3) The Superintendent shall report annually to the Controller  
24 on his or her actions to ensure that school districts, county  
25 superintendents of schools, and each county board of education  
26 that serves as the governing board of a school district have either  
27 corrected or developed plans of correction for any of the exceptions  
28 noted pursuant to paragraph (1).

29 (n) To facilitate correction of the exceptions identified by the  
30 audits issued pursuant to this section, commencing with 2002–03  
31 audits pursuant to this section, the Controller shall require auditors  
32 to categorize audit exceptions in each audit report in a manner that  
33 will make it clear to both the county superintendent of schools and  
34 the Superintendent which exceptions they are responsible for  
35 ensuring the correction of by a local educational agency. In  
36 addition, the Controller annually shall select a sampling of county  
37 superintendents of schools and perform a followup of the audit  
38 resolution process of those county superintendents of schools and  
39 report the results of that followup to the Superintendent and the  
40 county superintendents of schools that were reviewed.

1 (o) County superintendents of schools shall adjust subsequent  
2 local property tax requirements to correct audit exceptions relating  
3 to local educational agency tax rates and tax revenues.

4 (p) If a governing board or county superintendent of schools  
5 fails or is unable to make satisfactory arrangements for the audit  
6 pursuant to this section, the Controller shall make arrangements  
7 for the audit and the cost of the audit shall be paid from local  
8 educational agency funds or the county school service fund, as the  
9 case may be.

10 (q) Audits of regional occupational centers and programs are  
11 subject to the provisions of this section.

12 (r) This section does not authorize examination of, or reports  
13 on, the curriculum used or provided for in any local educational  
14 agency.

15 (s) Notwithstanding any other law, an auditing, management,  
16 or other consulting service to be provided to a local educational  
17 agency by a certified public accounting firm while the certified  
18 public accounting firm is performing an audit of the agency  
19 pursuant to this section must be in accord with Government  
20 Accounting Standards, Amendment No. 3, as published by the  
21 United States General Accounting Office.

22 SEC. 2. Section 42127 of the Education Code is amended to  
23 read:

24 42127. (a) On or before July 1 of each year, the governing  
25 board of each school district shall accomplish the following:

26 (1) Hold a public hearing on the budget to be adopted for the  
27 subsequent fiscal year. The budget to be adopted shall be prepared  
28 in accordance with Section 42126. The agenda for that hearing  
29 shall be posted at least 72 hours before the public hearing and shall  
30 include the location where the budget will be available for public  
31 inspection.

32 (A) For the 2011–12 fiscal year, notwithstanding any of the  
33 standards and criteria adopted by the state board pursuant to Section  
34 33127, each school district budget shall project the same level of  
35 revenue per unit of average daily attendance as it received in the  
36 2010–11 fiscal year and shall maintain staffing and program levels  
37 commensurate with that level.

38 (B) For the 2011–12 fiscal year, the school district shall not be  
39 required to demonstrate that it is able to meet its financial  
40 obligations for the two subsequent fiscal years.

1 (2) Adopt a budget. Not later than five days after that adoption  
2 or by July 1, whichever occurs first, the governing board of the  
3 school district shall file that budget with the county superintendent  
4 of schools. The budget and supporting data shall be maintained  
5 and made available for public review. If the governing board of  
6 the school district does not want all or a portion of the property  
7 tax requirement levied for the purpose of making payments for the  
8 interest and redemption charges on indebtedness as described in  
9 paragraph (1) or (2) of subdivision (b) of Section 1 of Article  
10 XIII A of the California Constitution, the budget shall include a  
11 statement of the amount or portion for which a levy shall not be  
12 made. For the 2014–15 fiscal year and each fiscal year thereafter,  
13 the governing board of the school district shall not adopt a budget  
14 before the governing board of the school district adopts a local  
15 control and accountability plan, if an existing local control and  
16 accountability plan or annual update to a local control and  
17 accountability plan is not effective for the budget year. The  
18 governing board of a school district shall not adopt a budget that  
19 does not include the expenditures necessary to implement the local  
20 control and accountability plan or the annual update to a local  
21 control and accountability plan that is effective during the  
22 subsequent fiscal year.

23 (b) The county superintendent of schools may accept changes  
24 in any statement included in the budget, pursuant to subdivision  
25 (a), of the amount or portion for which a property tax levy shall  
26 not be made. The county superintendent of schools or the county  
27 auditor shall compute the actual amounts to be levied on the  
28 property tax rolls of the school district for purposes that exceed  
29 apportionments to the school district pursuant to Chapter 6  
30 (commencing with Section 95) of Part 0.5 of Division 1 of the  
31 Revenue and Taxation Code. Each school district shall provide all  
32 data needed by the county superintendent of schools or the county  
33 auditor to compute the amounts. On or before August 15, the  
34 county superintendent of schools shall transmit the amounts  
35 computed to the county auditor who shall compute the tax rates  
36 necessary to produce the amounts. On or before September 1, the  
37 county auditor shall submit the rate computed to the board of  
38 supervisors for adoption.

39 (c) The county superintendent of schools shall do all of the  
40 following:

1 (1) Examine the adopted budget to determine whether it  
2 complies with the standards and criteria adopted by the state board  
3 pursuant to Section 33127 for application to final local educational  
4 agency budgets. The county superintendent of schools shall  
5 identify, if necessary, technical corrections that are required to be  
6 made to bring the budget into compliance with those standards  
7 and criteria.

8 (2) Determine whether the adopted budget will allow the school  
9 district to meet its financial obligations during the fiscal year and  
10 is consistent with a financial plan that will enable the school district  
11 to satisfy its multiyear financial commitments. In addition to his  
12 or her own analysis of the budget of each school district, the county  
13 superintendent of schools shall review and consider studies, reports,  
14 evaluations, or audits of the school district that were commissioned  
15 by the school district, the county superintendent of schools, the  
16 Superintendent, and state control agencies and that contain  
17 evidence that the school district is showing fiscal distress under  
18 the standards and criteria adopted in Section 33127 or that contain  
19 a finding by an external reviewer that more than 3 of the 15 most  
20 common predictors of a school district needing intervention, as  
21 determined by the County Office Fiscal Crisis and Management  
22 Assistance Team, are present. The county superintendent of schools  
23 shall either conditionally approve or disapprove a budget that does  
24 not provide adequate assurance that the school district will meet  
25 its current and future obligations and resolve any problems  
26 identified in studies, reports, evaluations, or audits described in  
27 this paragraph.

28 (3) Determine whether the adopted budget includes the  
29 expenditures necessary to implement the local control and  
30 accountability plan or annual update to the local control and  
31 accountability plan approved by the county superintendent of  
32 schools and whether those expenditures comply with the  
33 regulations adopted pursuant to Section 42238.07.

34 (d) On or before August 15, the county superintendent of schools  
35 shall approve, conditionally approve, or disapprove the adopted  
36 budget for each school district. For the 2014–15 fiscal year and  
37 each fiscal year thereafter, the county superintendent of schools  
38 shall disapprove a budget if the county superintendent of schools  
39 determines that the budget does not include the expenditures  
40 necessary to implement a local control and accountability plan or

1 an annual update to the local control and accountability plan  
2 approved by the county superintendent of schools or does not  
3 comply with the regulations adopted pursuant to Section 42238.07.  
4 If a school district does not submit a budget to the county  
5 superintendent of schools, the county superintendent of schools  
6 shall develop, at school district expense, a budget for that school  
7 district by September 15 and transmit that budget to the governing  
8 board of the school district. The budget prepared by the county  
9 superintendent of schools shall be deemed adopted, unless the  
10 county superintendent of schools approves any modifications made  
11 by the governing board of the school district. The approved budget  
12 shall be used as a guide for the school district's priorities. The  
13 Superintendent shall review and certify the budget approved by  
14 the county. If, pursuant to the review conducted pursuant to  
15 subdivision (c), the county superintendent of schools determines  
16 that the adopted budget for a school district does not satisfy  
17 paragraph (1) or (2) of that subdivision, he or she shall  
18 conditionally approve or disapprove the budget and, not later than  
19 August 15, transmit to the governing board of the school district,  
20 in writing, his or her recommendations regarding revision of the  
21 budget and the reasons for those recommendations, including, but  
22 not limited to, the amounts of any budget adjustments needed  
23 before he or she can approve that budget. The county  
24 superintendent of schools may assign a fiscal adviser to assist the  
25 school district to develop a budget in compliance with those  
26 revisions. In addition, the county superintendent of schools may  
27 appoint a committee to examine and comment on the  
28 superintendent's review and recommendations, subject to the  
29 requirement that the committee report its findings to the county  
30 superintendent of schools no later than August 20. For the 2011–12  
31 fiscal year, notwithstanding any of the standards and criteria  
32 adopted by the state board pursuant to Section 33127, the county  
33 superintendent of schools, as a condition on approval of a school  
34 district budget, shall not require a school district to project a lower  
35 level of revenue per unit of average daily attendance than it  
36 received in the 2010–11 fiscal year nor require the school district  
37 to demonstrate that it is able to meet its financial obligations for  
38 the two subsequent fiscal years.

39 (e) On or before September 8, the governing board of the school  
40 district shall revise the adopted budget to reflect changes in

1 projected income or expenditures subsequent to July 1, and to  
2 include any response to the recommendations of the county  
3 superintendent of schools, shall adopt the revised budget, and shall  
4 file the revised budget with the county superintendent of schools.  
5 Before revising the budget, the governing board of the school  
6 district shall hold a public hearing regarding the proposed revisions,  
7 to be conducted in accordance with Section 42103. In addition, if  
8 the adopted budget is disapproved pursuant to subdivision (d), the  
9 governing board of the school district and the county  
10 superintendent of schools shall review the disapproval and the  
11 recommendations of the county superintendent of schools regarding  
12 revision of the budget at the public hearing. The revised budget  
13 and supporting data shall be maintained and made available for  
14 public review.

15 (1) For the 2011–12 fiscal year, notwithstanding any of the  
16 standards and criteria adopted by the state board pursuant to Section  
17 33127, each school district budget shall project the same level of  
18 revenue per unit of average daily attendance as it received in the  
19 2010–11 fiscal year and shall maintain staffing and program levels  
20 commensurate with that level.

21 (2) For the 2011–12 fiscal year, the school district shall not be  
22 required to demonstrate that it is able to meet its financial  
23 obligations for the two subsequent fiscal years.

24 (f) On or before September 22, the county superintendent of  
25 schools shall provide a list to the Superintendent identifying all  
26 school districts for which budgets may be disapproved.

27 (g) The county superintendent of schools shall examine the  
28 revised budget to determine whether it (1) complies with the  
29 standards and criteria adopted by the state board pursuant to Section  
30 33127 for application to final local educational agency budgets,  
31 (2) allows the school district to meet its financial obligations during  
32 the fiscal year, (3) satisfies all conditions established by the county  
33 superintendent of schools in the case of a conditionally approved  
34 budget, and (4) is consistent with a financial plan that will enable  
35 the school district to satisfy its multiyear financial commitments,  
36 and, not later than October 8, shall approve or disapprove the  
37 revised budget. If the county superintendent of schools disapproves  
38 the budget, he or she shall call for the formation of a budget review  
39 committee pursuant to Section 42127.1, unless the governing board  
40 of the school district and the county superintendent of schools

1 agree to waive the requirement that a budget review committee be  
2 formed and the department approves the waiver after determining  
3 that a budget review committee is not necessary. Upon the grant  
4 of a waiver, the county superintendent of schools immediately has  
5 the authority and responsibility provided in Section 42127.3. Upon  
6 approving a waiver of the budget review committee, the department  
7 shall ensure that a balanced budget is adopted for the school district  
8 by November 30. If no budget is adopted by November 30, the  
9 Superintendent may adopt a budget for the school district. The  
10 Superintendent shall report to the Legislature and the Director of  
11 Finance by December 10 if any school district, including a school  
12 district that has received a waiver of the budget review committee  
13 process, does not have an adopted budget by November 30. This  
14 report shall include the reasons why a budget has not been adopted  
15 by the deadline, the steps being taken to finalize budget adoption,  
16 the date the adopted budget is anticipated, and whether the  
17 Superintendent has or will exercise his or her authority to adopt a  
18 budget for the school district. For the 2011–12 fiscal year,  
19 notwithstanding any of the standards and criteria adopted by the  
20 state board pursuant to Section 33127, the county superintendent  
21 of schools, as a condition on approval of a school district budget,  
22 shall not require a school district to project a lower level of revenue  
23 per unit of average daily attendance than it received in the 2010–11  
24 fiscal year nor require the school district to demonstrate that it is  
25 able to meet its financial obligations for the two subsequent fiscal  
26 years.

27 (h) Not later than October 8, the county superintendent of  
28 schools shall submit a report to the Superintendent identifying all  
29 school districts for which budgets have been disapproved or budget  
30 review committees waived. The report shall include a copy of the  
31 written response transmitted to each of those school districts  
32 pursuant to subdivision (d).

33 (i) Notwithstanding any other provision of this section, the  
34 budget review for a school district shall be governed by paragraphs  
35 (1), (2), and (3), rather than by subdivisions (e) and (g), if the  
36 governing board of the school district so elects and notifies the  
37 county superintendent of schools in writing of that decision, not  
38 later than October 31 of the immediately preceding calendar year.  
39 On or before July 1, the governing board of a school district for  
40 which the budget review is governed by this subdivision, rather

1 than by subdivisions (e) and (g), shall conduct a public hearing  
2 regarding its proposed budget in accordance with Section 42103.

3 (1) If the adopted budget of a school district is disapproved  
4 pursuant to subdivision (d), on or before September 8, the  
5 governing board of the school district, in conjunction with the  
6 county superintendent of schools, shall review the superintendent's  
7 recommendations at a regular meeting of the governing board of  
8 the school district and respond to those recommendations. The  
9 response shall include any revisions to the adopted budget and  
10 other proposed actions to be taken, if any, as a result of those  
11 recommendations.

12 (2) On or before September 22, the county superintendent of  
13 schools shall provide a list to the Superintendent identifying all  
14 school districts for which a budget may be tentatively disapproved.

15 (3) Not later than October 8, after receiving the response  
16 required under paragraph (1), the county superintendent of schools  
17 shall review that response and either approve or disapprove the  
18 budget. If the county superintendent of schools disapproves the  
19 budget, he or she shall call for the formation of a budget review  
20 committee pursuant to Section 42127.1, unless the governing board  
21 of the school district and the county superintendent of schools  
22 agree to waive the requirement that a budget review committee be  
23 formed and the department approves the waiver after determining  
24 that a budget review committee is not necessary. Upon the grant  
25 of a waiver, the county superintendent has the authority and  
26 responsibility provided to a budget review committee in Section  
27 42127.3. Upon approving a waiver of the budget review committee,  
28 the department shall ensure that a balanced budget is adopted for  
29 the school district by November 30. The Superintendent shall  
30 report to the Legislature and the Director of Finance by December  
31 10 if any school district, including a school district that has received  
32 a waiver of the budget review committee process, does not have  
33 an adopted budget by November 30. This report shall include the  
34 reasons why a budget has not been adopted by the deadline, the  
35 steps being taken to finalize budget adoption, and the date the  
36 adopted budget is anticipated. For the 2011–12 fiscal year,  
37 notwithstanding any of the standards and criteria adopted by the  
38 state board pursuant to Section 33127, the county superintendent  
39 of schools, as a condition on approval of a school district budget,  
40 shall not require a school district to project a lower level of revenue

1 per unit of average daily attendance than it received in the 2010–11  
2 fiscal year nor require the school district to demonstrate that it is  
3 able to meet its financial obligations for the two subsequent fiscal  
4 years.

5 (4) Not later than 45 days after the Governor signs the annual  
6 Budget Act, the school district shall make available for public  
7 review any revisions in revenues and expenditures that it has made  
8 to its budget to reflect the funding made available by that Budget  
9 Act.

10 (j) Any school district for which the county board of education  
11 serves as the governing board of the school district is not subject  
12 to subdivisions (c) to (h), inclusive, but is governed instead by the  
13 budget procedures set forth in Section 1622.

14 *SEC. 2.5. Section 42127 of the Education Code is amended to*  
15 *read:*

16 42127. (a) On or before July 1 of each year, the governing  
17 board of each school district shall accomplish the following:

18 (1) Hold a public hearing on the budget to be adopted for the  
19 subsequent fiscal year. The budget to be adopted shall be prepared  
20 in accordance with Section 42126. The agenda for that hearing  
21 shall be posted at least 72 hours before the public hearing and shall  
22 include the location where the budget will be available for public  
23 inspection.

24 (A) For the 2011–12 fiscal year, notwithstanding any of the  
25 standards and criteria adopted by the state board pursuant to Section  
26 33127, each school district budget shall project the same level of  
27 revenue per unit of average daily attendance as it received in the  
28 2010–11 fiscal year and shall maintain staffing and program levels  
29 commensurate with that level.

30 (B) For the 2011–12 fiscal year, the school district shall not be  
31 required to demonstrate that it is able to meet its financial  
32 obligations for the two subsequent fiscal years.

33 (2) Adopt a budget. Not later than five days after that adoption  
34 or by July 1, whichever occurs first, the governing board of the  
35 school district shall file that budget with the county superintendent  
36 of schools. The budget and supporting data shall be maintained  
37 and made available for public review. If the governing board of  
38 the school district does not want all or a portion of the property  
39 tax requirement levied for the purpose of making payments for the  
40 interest and redemption charges on indebtedness as described in

1 paragraph (1) or (2) of subdivision (b) of Section 1 of Article  
2 XIII A of the California Constitution, the budget shall include a  
3 statement of the amount or portion for which a levy shall not be  
4 made. For the 2014–15 fiscal year and each fiscal year thereafter,  
5 the governing board of the school district shall not adopt a budget  
6 before the governing board of the school district adopts a local  
7 control and accountability plan, if an existing local control and  
8 accountability plan or annual update to a local control and  
9 accountability plan is not effective for the budget year. The  
10 governing board of a school district shall not adopt a budget that  
11 does not include the expenditures necessary to implement the local  
12 control and accountability plan or the annual update to a local  
13 control and accountability plan that is effective during the  
14 subsequent fiscal year.

15 (b) The county superintendent of schools may accept changes  
16 in any statement included in the budget, pursuant to subdivision  
17 (a), of the amount or portion for which a property tax levy shall  
18 not be made. The county superintendent of schools or the county  
19 auditor shall compute the actual amounts to be levied on the  
20 property tax rolls of the school district for purposes that exceed  
21 apportionments to the school district pursuant to Chapter 6  
22 (commencing with Section 95) of Part 0.5 of Division 1 of the  
23 Revenue and Taxation Code. Each school district shall provide all  
24 data needed by the county superintendent of schools or the county  
25 auditor to compute the amounts. On or before August 15, the  
26 county superintendent of schools shall transmit the amounts  
27 computed to the county auditor who shall compute the tax rates  
28 necessary to produce the amounts. On or before September 1, the  
29 county auditor shall submit the rate computed to the board of  
30 supervisors for adoption.

31 (c) The county superintendent of schools shall do all of the  
32 following:

33 (1) Examine the adopted budget to determine whether it  
34 complies with the standards and criteria adopted by the state board  
35 pursuant to Section 33127 for application to final local educational  
36 agency budgets. The county superintendent of schools shall  
37 identify, if necessary, technical corrections that are required to be  
38 made to bring the budget into compliance with those standards  
39 and criteria.

1 (2) Determine whether the adopted budget will allow the school  
2 district to meet its financial obligations during the fiscal year and  
3 is consistent with a financial plan that will enable the school district  
4 to satisfy its multiyear financial commitments. In addition to his  
5 or her own analysis of the budget of each school district, the county  
6 superintendent of schools shall review and consider studies, reports,  
7 evaluations, or audits of the school district that were commissioned  
8 by the school district, the county superintendent of schools, the  
9 Superintendent, and state control agencies and that contain  
10 evidence that the school district is showing fiscal distress under  
11 the standards and criteria adopted in Section 33127 or that contain  
12 a finding by an external reviewer that more than ~~three~~ 3 of the 15  
13 most common predictors of a school district needing intervention,  
14 as determined by the County Office Fiscal Crisis and Management  
15 Assistance Team, are present. The county superintendent of schools  
16 shall either conditionally approve or disapprove a budget that does  
17 not provide adequate assurance that the school district will meet  
18 its current and future obligations and resolve any problems  
19 identified in studies, reports, evaluations, or audits described in  
20 this paragraph.

21 (3) Determine whether the adopted budget includes the  
22 expenditures necessary to implement the local control and  
23 accountability plan or annual update to the local control and  
24 accountability plan approved by the county superintendent of  
25 ~~schools~~ *schools and whether those expenditures comply with the*  
26 *regulations adopted pursuant to Section 42238.07.*

27 (d) (1) On or before August 15, the county superintendent of  
28 schools shall approve, conditionally approve, or disapprove the  
29 adopted budget for each school district. For the 2014–15 fiscal  
30 year and each fiscal year thereafter, the county superintendent of  
31 schools shall disapprove a budget if the county superintendent of  
32 schools determines that the budget does not include the  
33 expenditures necessary to implement a local control and  
34 accountability plan or an annual update to the local control and  
35 accountability plan approved by the county superintendent of  
36 ~~schools~~ *schools or does not comply with the regulations adopted*  
37 *pursuant to Section 42238.07.* If a school district does not submit  
38 a budget to the county superintendent of schools, the county  
39 superintendent of schools shall develop, at school district expense,  
40 a budget for that school district by September 15 and transmit that

1 budget to the governing board of the school district. The budget  
2 prepared by the county superintendent of schools shall be deemed  
3 adopted, unless the county superintendent of schools approves any  
4 modifications made by the governing board of the school district.  
5 The approved budget shall be used as a guide for the school  
6 district's priorities. The Superintendent shall review and certify  
7 the budget approved by the county. If, pursuant to the review  
8 conducted pursuant to subdivision (c), the county superintendent  
9 of schools determines that the adopted budget for a school district  
10 does not satisfy paragraph ~~(1) or (2)~~ (1), (2), or (3) of that  
11 subdivision, he or she shall conditionally approve or disapprove  
12 the budget and, not later than August 15, transmit to the governing  
13 board of the school district, in writing, his or her recommendations  
14 regarding revision of the budget and the reasons for those  
15 recommendations, including, but not limited to, the amounts of  
16 any budget adjustments needed before he or she can approve that  
17 budget. The county superintendent of schools may assign a fiscal  
18 adviser to assist the school district to develop a budget in  
19 compliance with those revisions. In addition, the county  
20 superintendent of schools may appoint a committee to examine  
21 and comment on the superintendent's review and recommendations,  
22 subject to the requirement that the committee report its findings  
23 to the county superintendent of schools no later than August 20.  
24 For the 2011–12 fiscal year, notwithstanding any of the standards  
25 and criteria adopted by the state board pursuant to Section 33127,  
26 the county superintendent of schools, as a condition on approval  
27 of a school district budget, shall not require a school district to  
28 project a lower level of revenue per unit of average daily attendance  
29 than it received in the 2010–11 fiscal year nor require the school  
30 district to demonstrate that it is able to meet its financial obligations  
31 for the two subsequent fiscal years.

32 *(2) Notwithstanding any other provision of this article, for the*  
33 *2014–15 fiscal year and each fiscal year thereafter, the budget*  
34 *shall not be adopted or approved by the county superintendent of*  
35 *schools before a local control and accountability plan or update*  
36 *to an existing local control and accountability plan for the budget*  
37 *year is approved.*

38 (e) On or before September 8, the governing board of the school  
39 district shall revise the adopted budget to reflect changes in  
40 projected income or expenditures subsequent to July 1, and to

1 include any response to the recommendations of the county  
2 superintendent of schools, shall adopt the revised budget, and shall  
3 file the revised budget with the county superintendent of schools.  
4 Before revising the budget, the governing board of the school  
5 district shall hold a public hearing regarding the proposed revisions,  
6 to be conducted in accordance with Section 42103. In addition, if  
7 the adopted budget is disapproved pursuant to subdivision (d), the  
8 governing board of the school district and the county  
9 superintendent of schools shall review the disapproval and the  
10 recommendations of the county superintendent of schools regarding  
11 revision of the budget at the public hearing. The revised budget  
12 and supporting data shall be maintained and made available for  
13 public review.

14 (1) For the 2011–12 fiscal year, notwithstanding any of the  
15 standards and criteria adopted by the state board pursuant to Section  
16 33127, each school district budget shall project the same level of  
17 revenue per unit of average daily attendance as it received in the  
18 2010–11 fiscal year and shall maintain staffing and program levels  
19 commensurate with that level.

20 (2) For the 2011–12 fiscal year, the school district shall not be  
21 required to demonstrate that it is able to meet its financial  
22 obligations for the two subsequent fiscal years.

23 (f) On or before September 22, the county superintendent of  
24 schools shall provide a list to the Superintendent identifying all  
25 school districts for which budgets may be disapproved.

26 (g) (1) The county superintendent of schools shall examine  
27 the revised budget to determine whether it (1) complies with the  
28 standards and criteria adopted by the state board pursuant to Section  
29 33127 for application to final local educational agency budgets,  
30 (2) allows the school district to meet its financial obligations during  
31 the fiscal year, (3) satisfies all conditions established by the county  
32 superintendent of schools in the case of a conditionally approved  
33 budget, and (4) is consistent with a financial plan that will enable  
34 the school district to satisfy its multiyear financial commitments,  
35 and, not later than October 8, shall approve or disapprove the  
36 revised budget. If the county superintendent of schools disapproves  
37 the budget, he or she shall call for the formation of a budget review  
38 committee pursuant to Section 42127.1, unless the governing board  
39 of the school district and the county superintendent of schools  
40 agree to waive the requirement that a budget review committee be

1 formed and the department approves the waiver after determining  
2 that a budget review committee is not necessary. Upon the grant  
3 of a waiver, the county superintendent of schools immediately has  
4 the authority and responsibility provided in Section 42127.3. Upon  
5 approving a waiver of the budget review committee, the department  
6 shall ensure that a balanced budget is adopted for the school district  
7 by November 30. If no budget is adopted by November 30, the  
8 Superintendent may adopt a budget for the school district. The  
9 Superintendent shall report to the Legislature and the Director of  
10 Finance by December 10 if any school district, including a school  
11 district that has received a waiver of the budget review committee  
12 process, does not have an adopted budget by November 30. This  
13 report shall include the reasons why a budget has not been adopted  
14 by the deadline, the steps being taken to finalize budget adoption,  
15 the date the adopted budget is anticipated, and whether the  
16 Superintendent has or will exercise his or her authority to adopt a  
17 budget for the school district. For the 2011–12 fiscal year,  
18 notwithstanding any of the standards and criteria adopted by the  
19 state board pursuant to Section 33127, the county superintendent  
20 of schools, as a condition on approval of a school district budget,  
21 shall not require a school district to project a lower level of revenue  
22 per unit of average daily attendance than it received in the 2010–11  
23 fiscal year nor require the school district to demonstrate that it is  
24 able to meet its financial obligations for the two subsequent fiscal  
25 years.

26 *(2) Notwithstanding any other law, for the 2014–15 fiscal year*  
27 *and each fiscal year thereafter, if the county superintendent of*  
28 *schools disapproves the budget for the sole reason that the county*  
29 *superintendent of schools has not approved a local control and*  
30 *accountability plan or an annual update to the local control and*  
31 *accountability plan filed by the school district pursuant to Section*  
32 *52061, the county superintendent of schools shall not call for the*  
33 *formation of a budget review committee pursuant to Section*  
34 *42127.1.*

35 (h) Not later than October 8, the county superintendent of  
36 schools shall submit a report to the Superintendent identifying all  
37 school districts for which budgets have been disapproved or budget  
38 review committees waived. The report shall include a copy of the  
39 written response transmitted to each of those school districts  
40 pursuant to *paragraph (1) of subdivision (d)*.

1 (i) Notwithstanding any other provision of this section, the  
2 budget review for a school district shall be governed by paragraphs  
3 (1), (2), and (3), rather than by subdivisions (e) and (g), if the  
4 governing board of the school district so elects and notifies the  
5 county superintendent of schools in writing of that decision, not  
6 later than October 31 of the immediately preceding calendar year.  
7 On or before July 1, the governing board of a school district for  
8 which the budget review is governed by this subdivision, rather  
9 than by subdivisions (e) and (g), shall conduct a public hearing  
10 regarding its proposed budget in accordance with Section 42103.

11 (1) If the adopted budget of a school district is disapproved  
12 pursuant to subdivision (d), on or before September 8, the  
13 governing board of the school district, in conjunction with the  
14 county superintendent of schools, shall review the superintendent's  
15 recommendations at a regular meeting of the governing board of  
16 the school district and respond to those recommendations. The  
17 response shall include any revisions to the adopted budget and  
18 other proposed actions to be taken, if any, as a result of those  
19 recommendations.

20 (2) On or before September 22, the county superintendent of  
21 schools shall provide a list to the Superintendent identifying all  
22 school districts for which a budget may be tentatively disapproved.

23 (3) Not later than October 8, after receiving the response  
24 required under paragraph (1), the county superintendent of schools  
25 shall review that response and either approve or disapprove the  
26 budget. ~~If~~ *Except as provided in paragraph (2) of subdivision (g),*  
27 *if* the county superintendent of schools disapproves the budget, he  
28 or she shall call for the formation of a budget review committee  
29 pursuant to Section 42127.1, unless the governing board of the  
30 school district and the county superintendent of schools agree to  
31 waive the requirement that a budget review committee be formed  
32 and the department approves the waiver after determining that a  
33 budget review committee is not necessary. Upon the grant of a  
34 waiver, the county superintendent has the authority and  
35 responsibility provided to a budget review committee in Section  
36 42127.3. Upon approving a waiver of the budget review committee,  
37 the department shall ensure that a balanced budget is adopted for  
38 the school district by November 30. The Superintendent shall  
39 report to the Legislature and the Director of Finance by December  
40 10 if any school district, including a school district that has received

1 a waiver of the budget review committee process, does not have  
 2 an adopted budget by November 30. This report shall include the  
 3 reasons why a budget has not been adopted by the deadline, the  
 4 steps being taken to finalize budget adoption, and the date the  
 5 adopted budget is anticipated. For the 2011–12 fiscal year,  
 6 notwithstanding any of the standards and criteria adopted by the  
 7 state board pursuant to Section 33127, the county superintendent  
 8 of schools, as a condition on approval of a school district budget,  
 9 shall not require a school district to project a lower level of revenue  
 10 per unit of average daily attendance than it received in the 2010–11  
 11 fiscal year nor require the school district to demonstrate that it is  
 12 able to meet its financial obligations for the two subsequent fiscal  
 13 years.

14 (4) Not later than 45 days after the Governor signs the annual  
 15 Budget Act, the school district shall make available for public  
 16 review any revisions in revenues and expenditures that it has made  
 17 to its budget to reflect the funding made available by that Budget  
 18 Act.

19 (j) Any school district for which the county board of education  
 20 serves as the governing board of the school district is not subject  
 21 to subdivisions (c) to (h), inclusive, but is governed instead by the  
 22 budget procedures set forth in Section 1622.

23 SEC. 3. Section 42238.07 of the Education Code is amended  
 24 to read:

25 42238.07. (a) On or before January 31, 2014, the state board  
 26 shall adopt regulations that govern the expenditure of funds  
 27 apportioned on the basis of the number and concentration of  
 28 unduplicated pupils pursuant to Sections 2574, 2575, 42238.02,  
 29 and 42238.03. The regulations shall include, but are not limited to,  
 30 provisions that do all of the following:

31 (1) Require a school district, county office of education, or  
 32 charter school to increase or improve services for unduplicated  
 33 pupils in proportion to the increase in funds apportioned on the  
 34 basis of the number and concentration of unduplicated pupils in  
 35 the school district, county office of education, or charter school.

36 (2) Authorize a school district, county office of education, or  
 37 charter school to use funds apportioned on the basis of the number  
 38 and concentration of unduplicated pupils for schoolwide purposes.  
 39 The regulations governing the expenditures of moneys for  
 40 schoolwide purposes shall not be more restrictive than the

1 restrictions provided for in Title I of the federal No Child Left  
2 Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

3 (3) Authorize a school district or county office of education to  
4 use of funds apportioned on the basis of the number and  
5 concentration of unduplicated pupils, for school districts, for  
6 districtwide purposes, or, for county offices of education, for  
7 countywide purposes.

8 (b) The state board may adopt emergency regulations for  
9 purposes of this section.

10 SEC. 4. Section 52052 of the Education Code is amended to  
11 read:

12 52052. (a) (1) The Superintendent, with approval of the state  
13 board, shall develop an Academic Performance Index (API), to  
14 measure the performance of schools and school districts, especially  
15 the academic performance of pupils.

16 (2) A school or school district shall demonstrate comparable  
17 improvement in academic achievement as measured by the API  
18 by all numerically significant pupil subgroups at the school or  
19 school district, including:

20 (A) Ethnic subgroups.

21 (B) Socioeconomically disadvantaged pupils.

22 (C) English learners.

23 (D) Pupils with disabilities.

24 (E) Foster youth.

25 (F) Reclassified English learners. The inclusion of reclassified  
26 English learners in the API shall, at a minimum, be consistent with  
27 the manner in which reclassified English learners are included in  
28 the determination of adequate yearly progress, as required by  
29 Section 6311(b)(2)(B) of the federal No Child Left Behind Act of  
30 2001 (20 U.S.C. 6301 et seq.).

31 (3) (A) For purposes of this section, a numerically significant  
32 pupil subgroup is one that consists of at least 30 pupils, each of  
33 whom has a valid test score.

34 (B) Notwithstanding subparagraph (A), for a subgroup of pupils  
35 who are foster youth, a numerically significant pupil subgroup is  
36 one that consists of at least 15 pupils.

37 (C) For a school or school district with an API score that is  
38 based on no fewer than 11 and no more than 99 pupils with valid  
39 test scores, numerically significant pupil subgroups shall be defined  
40 by the Superintendent, with approval by the state board.

1 (4) (A) The API shall consist of a variety of indicators currently  
2 reported to the department, including, but not limited to, the results  
3 of the achievement test administered pursuant to Section 60640,  
4 attendance rates for pupils in elementary schools, middle schools,  
5 and secondary schools, and the graduation rates for pupils in  
6 secondary schools.

7 (B) The Superintendent, with the approval of the state board,  
8 may also incorporate into the API the rates at which pupils  
9 successfully promote from one grade to the next in middle school  
10 and high school, and successfully matriculate from middle school  
11 to high school.

12 (C) Graduation rates for pupils in secondary schools shall be  
13 calculated for the API as follows:

14 (i) Four-year graduation rates shall be calculated by taking the  
15 number of pupils who graduated on time for the current school  
16 year, which is considered to be three school years after the pupils  
17 entered grade 9 for the first time, and dividing that number by the  
18 total calculated in clause (ii).

19 (ii) The number of pupils entering grade 9 for the first time in  
20 the school year three school years before the current school year,  
21 plus the number of pupils who transferred into the class graduating  
22 at the end of the current school year between the school year that  
23 was three school years before the current school year and the date  
24 of graduation, less the number of pupils who transferred out of the  
25 school between the school year that was three school years before  
26 the current school year and the date of graduation who were  
27 members of the class that is graduating at the end of the current  
28 school year.

29 (iii) Five-year graduation rates shall be calculated by taking the  
30 number of pupils who graduated on time for the current school  
31 year, which is considered to be four school years after the pupils  
32 entered grade 9 for the first time, and dividing that number by the  
33 total calculated in clause (iv).

34 (iv) The number of pupils entering grade 9 for the first time in  
35 the school year four years before the current school year, plus the  
36 number of pupils who transferred into the class graduating at the  
37 end of the current school year between the school year that was  
38 four school years before the current school year and the date of  
39 graduation, less the number of pupils who transferred out of the  
40 school between the school year that was four years before the

1 current school year and the date of graduation who were members  
2 of the class that is graduating at the end of the current school year.

3 (v) Six-year graduation rates shall be calculated by taking the  
4 number of pupils who graduated on time for the current school  
5 year, which is considered to be five school years after the pupils  
6 entered grade 9 for the first time, and dividing that number by the  
7 total calculated in clause (vi).

8 (vi) The number of pupils entering grade 9 for the first time in  
9 the school year five years before the current school year, plus the  
10 number of pupils who transferred into the class graduating at the  
11 end of the current school year between the school year that was  
12 five school years before the current school year and the date of  
13 graduation, less the number of pupils who transferred out of the  
14 school between the school year that was five years before the  
15 current school year and the date of graduation who were members  
16 of the class that is graduating at the end of the current school year.

17 (D) The inclusion of five- and six-year graduation rates for  
18 pupils in secondary schools shall meet the following requirements:

19 (i) Schools shall be granted one-half the credit in their API  
20 scores for graduating pupils in five years that they are granted for  
21 graduating pupils in four years.

22 (ii) Schools and school districts shall be granted one-quarter the  
23 credit in their API scores for graduating pupils in six years that  
24 they are granted for graduating pupils in four years.

25 (iii) Notwithstanding clauses (i) and (ii), schools and school  
26 districts shall be granted full credit in their API scores for  
27 graduating in five or six years a pupil with disabilities who  
28 graduates in accordance with his or her individualized education  
29 program.

30 (E) The pupil data collected for the API that comes from the  
31 achievement test administered pursuant to Section 60640 and the  
32 high school exit examination administered pursuant to Section  
33 60851, when fully implemented, shall be disaggregated by special  
34 education status, English learners, socioeconomic status, gender,  
35 and ethnic group. Only the test scores of pupils who were counted  
36 as part of the enrollment in the annual data collection of the  
37 California Basic Educational Data System for the current fiscal  
38 year and who were continuously enrolled during that year may be  
39 included in the test result reports in the API score of the school.

1 (F) (i) Commencing with the baseline API calculation in 2016,  
2 and for each year thereafter, results of the achievement test and  
3 other tests specified in subdivision (b) shall constitute no more  
4 than 60 percent of the value of the index for secondary schools.

5 (ii) In addition to the elements required by this paragraph, the  
6 Superintendent, with approval of the state board, may incorporate  
7 into the index for secondary schools valid, reliable, and stable  
8 measures of pupil preparedness for postsecondary education and  
9 career.

10 (G) Results of the achievement test and other tests specified in  
11 subdivision (b) shall constitute at least 60 percent of the value of  
12 the index for primary schools and middle schools.

13 (H) It is the intent of the Legislature that the state's system of  
14 public school accountability be more closely aligned with both the  
15 public's expectations for public education and the workforce needs  
16 of the state's economy. It is therefore necessary that the  
17 accountability system evolve beyond its narrow focus on pupil test  
18 scores to encompass other valuable information about school  
19 performance, including, but not limited to, pupil preparedness for  
20 college and career, as well as the high school graduation rates  
21 already required by law.

22 (I) The Superintendent shall annually determine the accuracy  
23 of the graduation rate data. Notwithstanding any other law,  
24 graduation rates for pupils in dropout recovery high schools shall  
25 not be included in the API. For purposes of this subparagraph,  
26 "dropout recovery high school" means a high school in which 50  
27 percent or more of its pupils have been designated as dropouts  
28 pursuant to the exit/withdrawal codes developed by the department  
29 or left a school and were not otherwise enrolled in a school for a  
30 period of at least 180 days.

31 (J) To complement the API, the Superintendent, with the  
32 approval of the state board, may develop and implement a program  
33 of school quality review that features locally convened panels to  
34 visit schools, observe teachers, interview pupils, and examine pupil  
35 work, if an appropriation for this purpose is made in the annual  
36 Budget Act.

37 (K) The Superintendent shall annually provide to local  
38 educational agencies and the public a transparent and  
39 understandable explanation of the individual components of the  
40 API and their relative values within the API.

1 (L) An additional element chosen by the Superintendent and  
2 the state board for inclusion in the API pursuant to this paragraph  
3 shall not be incorporated into the API until at least one full school  
4 year after the state board's decision to include the element into the  
5 API.

6 (b) Pupil scores from the following tests, when available and  
7 when found to be valid and reliable for this purpose, shall be  
8 incorporated into the API:

9 (1) The standards-based achievement tests provided for in  
10 Section 60642.5.

11 (2) The high school exit examination.

12 (c) Based on the API, the Superintendent shall develop, and the  
13 state board shall adopt, expected annual percentage growth targets  
14 for all schools based on their API baseline score from the previous  
15 year. Schools are expected to meet these growth targets through  
16 effective allocation of available resources. For schools below the  
17 statewide API performance target adopted by the state board  
18 pursuant to subdivision (d), the minimum annual percentage growth  
19 target shall be 5 percent of the difference between the actual API  
20 score of a school and the statewide API performance target, or one  
21 API point, whichever is greater. Schools at or above the statewide  
22 API performance target shall have, as their growth target,  
23 maintenance of their API score above the statewide API  
24 performance target. However, the state board may set differential  
25 growth targets based on grade level of instruction and may set  
26 higher growth targets for the lowest performing schools because  
27 they have the greatest room for improvement. To meet its growth  
28 target, a school shall demonstrate that the annual growth in its API  
29 is equal to or more than its schoolwide annual percentage growth  
30 target and that all numerically significant pupil subgroups, as  
31 defined in subdivision (a), are making comparable improvement.

32 (d) Upon adoption of state performance standards by the state  
33 board, the Superintendent shall recommend, and the state board  
34 shall adopt, a statewide API performance target that includes  
35 consideration of performance standards and represents the  
36 proficiency level required to meet the state performance target.

37 (e) (1) A school or school district with 11 to 99 pupils with  
38 valid test scores shall receive an API score with an asterisk that  
39 indicates less statistical certainty than API scores based on 100 or  
40 more test scores.

1 (2) A school or school district annually shall receive an API  
2 score, unless the Superintendent determines that an API score  
3 would be an invalid measure of the performance of the school or  
4 school district for one or more of the following reasons:

- 5 (A) Irregularities in testing procedures occurred.
- 6 (B) The data used to calculate the API score of the school or  
7 school district are not representative of the pupil population at the  
8 school or school district.
- 9 (C) Significant demographic changes in the pupil population  
10 render year-to-year comparisons of pupil performance invalid.
- 11 (D) The department discovers or receives information indicating  
12 that the integrity of the API score has been compromised.
- 13 (E) Insufficient pupil participation in the assessments included  
14 in the API.

15 (3) If a school or school district has fewer than 100 pupils with  
16 valid test scores, the calculation of the API or adequate yearly  
17 progress pursuant to the federal No Child Left Behind Act of 2001  
18 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be  
19 calculated over more than one annual administration of the tests  
20 administered pursuant to Section 60640 and the high school exit  
21 examination administered pursuant to Section 60851, consistent  
22 with regulations adopted by the state board.

23 (f) Only schools with 100 or more test scores contributing to  
24 the API may be included in the API rankings.

25 (g) The Superintendent, with the approval of the state board,  
26 shall develop an alternative accountability system for schools under  
27 the jurisdiction of a county board of education or a county  
28 superintendent of schools, community day schools, nonpublic,  
29 nonsectarian schools pursuant to Section 56366, and alternative  
30 schools serving high-risk pupils, including continuation high  
31 schools and opportunity schools. Schools in the alternative  
32 accountability system may receive an API score, but shall not be  
33 included in the API rankings.

34 (h) For purposes of this section, county offices of education  
35 shall be considered school districts.

36 *SEC. 4.5. Section 52052 of the Education Code is amended to*  
37 *read:*

38 52052. (a) (1) The Superintendent, with approval of the state  
39 board, shall develop an Academic Performance Index (API), to

1 measure the performance of schools and school districts, especially  
2 the academic performance of pupils.

3 (2) A school or school district shall demonstrate comparable  
4 improvement in academic achievement as measured by the API  
5 by all numerically significant pupil subgroups at the school or  
6 school district, including:

7 (A) Ethnic subgroups.

8 (B) Socioeconomically disadvantaged pupils.

9 (C) English learners.

10 (D) Pupils with disabilities.

11 (E) Foster youth.

12 (F) *Reclassified English learners. The inclusion of reclassified*  
13 *English learners in the API shall, at a minimum, be consistent with*  
14 *the manner in which reclassified English learners are included in*  
15 *the determination of adequate yearly progress, as required by*  
16 *Section 6311(b)(2)(B) of the federal No Child Left Behind Act of*  
17 *2001 (20 U.S.C. Sec. 6301 et seq.).*

18 (3) (A) For purposes of this section, a numerically significant  
19 pupil subgroup is one that consists of at least 30 pupils, each of  
20 whom has a valid test score.

21 (B) Notwithstanding subparagraph (A), for a subgroup of pupils  
22 who are foster youth, a numerically significant pupil subgroup is  
23 one that consists of at least 15 pupils.

24 (C) For a school or school district with an API score that is  
25 based on no fewer than 11 and no more than 99 pupils with valid  
26 test scores, numerically significant pupil subgroups shall be defined  
27 by the Superintendent, with approval by the state board.

28 (4) (A) The API shall consist of a variety of indicators currently  
29 reported to the department, including, but not limited to, the results  
30 of the achievement test administered pursuant to Section 60640,  
31 attendance rates for pupils in elementary schools, middle schools,  
32 and secondary schools, and the graduation rates for pupils in  
33 secondary schools.

34 (B) The Superintendent, with the approval of the state board,  
35 may also incorporate into the API the rates at which pupils  
36 successfully promote from one grade to the next in middle school  
37 and high school, and successfully matriculate from middle school  
38 to high school.

39 (C) Graduation rates for pupils in secondary schools shall be  
40 calculated for the API as follows:

1 (i) Four-year graduation rates shall be calculated by taking the  
2 number of pupils who graduated on time for the current school  
3 year, which is considered to be three school years after the pupils  
4 entered grade 9 for the first time, and dividing that number by the  
5 total calculated in clause (ii).

6 (ii) The number of pupils entering grade 9 for the first time in  
7 the school year three school years before the current school year,  
8 plus the number of pupils who transferred into the class graduating  
9 at the end of the current school year between the school year that  
10 was three school years before the current school year and the date  
11 of graduation, less the number of pupils who transferred out of the  
12 school between the school year that was three school years before  
13 the current school year and the date of graduation who were  
14 members of the class that is graduating at the end of the current  
15 school year.

16 (iii) Five-year graduation rates shall be calculated by taking the  
17 number of pupils who graduated on time for the current school  
18 year, which is considered to be four school years after the pupils  
19 entered grade 9 for the first time, and dividing that number by the  
20 total calculated in clause (iv).

21 (iv) The number of pupils entering grade 9 for the first time in  
22 the school year four years before the current school year, plus the  
23 number of pupils who transferred into the class graduating at the  
24 end of the current school year between the school year that was  
25 four school years before the current school year and the date of  
26 graduation, less the number of pupils who transferred out of the  
27 school between the school year that was four years before the  
28 current school year and the date of graduation who were members  
29 of the class that is graduating at the end of the current school year.

30 (v) Six-year graduation rates shall be calculated by taking the  
31 number of pupils who graduated on time for the current school  
32 year, which is considered to be five school years after the pupils  
33 entered grade 9 for the first time, and dividing that number by the  
34 total calculated in clause (vi).

35 (vi) The number of pupils entering grade 9 for the first time in  
36 the school year five years before the current school year, plus the  
37 number of pupils who transferred into the class graduating at the  
38 end of the current school year between the school year that was  
39 five school years before the current school year and the date of  
40 graduation, less the number of pupils who transferred out of the

1 school between the school year that was five years before the  
2 current school year and the date of graduation who were members  
3 of the class that is graduating at the end of the current school year.

4 (D) The inclusion of five- and six-year graduation rates for  
5 pupils in secondary schools shall meet the following requirements:

6 (i) Schools *and school districts* shall be granted one-half the  
7 credit in their API scores for graduating pupils in five years that  
8 they are granted for graduating pupils in four years.

9 (ii) Schools and school districts shall be granted one-quarter the  
10 credit in their API scores for graduating pupils in six years that  
11 they are granted for graduating pupils in four years.

12 (iii) Notwithstanding clauses (i) and (ii), schools and school  
13 districts shall be granted full credit in their API scores for  
14 graduating in five or six years a pupil with disabilities who  
15 graduates in accordance with his or her individualized education  
16 program.

17 (E) The pupil data collected for the API that comes from the  
18 achievement test administered pursuant to Section 60640 and the  
19 high school exit examination administered pursuant to Section  
20 60851, when fully implemented, shall be disaggregated by special  
21 education status, English learners, socioeconomic status, gender,  
22 and ethnic group. Only the test scores of pupils who were counted  
23 as part of the enrollment in the annual data collection of the  
24 California Basic Educational Data System for the current fiscal  
25 year and who were continuously enrolled during that year may be  
26 included in the test result reports in the API score of the school.

27 (F) (i) Commencing with the baseline API calculation in 2016,  
28 and for each year thereafter, results of the achievement test and  
29 other tests specified in subdivision (b) shall constitute no more  
30 than 60 percent of the value of the index for secondary schools.

31 (ii) In addition to the elements required by this paragraph, the  
32 Superintendent, with approval of the state board, may incorporate  
33 into the index for secondary schools valid, reliable, and stable  
34 measures of pupil preparedness for postsecondary education and  
35 career.

36 (G) Results of the achievement test and other tests specified in  
37 subdivision (b) shall constitute at least 60 percent of the value of  
38 the index for primary schools and middle schools.

39 (H) It is the intent of the Legislature that the state's system of  
40 public school accountability be more closely aligned with both the

1 public's expectations for public education and the workforce needs  
2 of the state's economy. It is therefore necessary that the  
3 accountability system evolve beyond its narrow focus on pupil test  
4 scores to encompass other valuable information about school  
5 performance, including, but not limited to, pupil preparedness for  
6 college and career, as well as the high school graduation rates  
7 already required by law.

8 (I) The Superintendent shall annually determine the accuracy  
9 of the graduation rate data. Notwithstanding any other law,  
10 graduation rates for pupils in dropout recovery high schools shall  
11 not be included in the API. For purposes of this subparagraph,  
12 "dropout recovery high school" means a high school in which 50  
13 percent or more of its pupils have been designated as dropouts  
14 pursuant to the exit/withdrawal codes developed by the department  
15 or left a school and were not otherwise enrolled in a school for a  
16 period of at least 180 days.

17 (J) To complement the API, the Superintendent, with the  
18 approval of the state board, may develop and implement a program  
19 of school quality review that features locally convened panels to  
20 visit schools, observe teachers, interview pupils, and examine pupil  
21 work, if an appropriation for this purpose is made in the annual  
22 Budget Act.

23 (K) The Superintendent shall annually provide to local  
24 educational agencies and the public a transparent and  
25 understandable explanation of the individual components of the  
26 API and their relative values within the API.

27 (L) An additional element chosen by the Superintendent and  
28 the state board for inclusion in the API pursuant to this paragraph  
29 shall not be incorporated into the API until at least one full school  
30 year after the state board's decision to include the element into the  
31 API.

32 (b) Pupil scores from the following tests, when available and  
33 when found to be valid and reliable for this purpose, shall be  
34 incorporated into the API:

35 (1) The standards-based achievement tests provided for in  
36 Section 60642.5.

37 (2) The high school exit examination.

38 (c) Based on the API, the Superintendent shall develop, and the  
39 state board shall adopt, expected annual percentage growth targets  
40 for all schools based on their API baseline score from the previous

1 year. Schools are expected to meet these growth targets through  
2 effective allocation of available resources. For schools below the  
3 statewide API performance target adopted by the state board  
4 pursuant to subdivision (d), the minimum annual percentage growth  
5 target shall be 5 percent of the difference between the actual API  
6 score of a school and the statewide API performance target, or one  
7 API point, whichever is greater. Schools at or above the statewide  
8 API performance target shall have, as their growth target,  
9 maintenance of their API score above the statewide API  
10 performance target. However, the state board may set differential  
11 growth targets based on grade level of instruction and may set  
12 higher growth targets for the lowest performing schools because  
13 they have the greatest room for improvement. To meet its growth  
14 target, a school shall demonstrate that the annual growth in its API  
15 is equal to or more than its schoolwide annual percentage growth  
16 target and that all numerically significant pupil subgroups, as  
17 defined in subdivision (a), are making comparable improvement.

18 (d) Upon adoption of state performance standards by the state  
19 board, the Superintendent shall recommend, and the state board  
20 shall adopt, a statewide API performance target that includes  
21 consideration of performance standards and represents the  
22 proficiency level required to meet the state performance target.

23 (e) (1) A school or school district with 11 to 99 pupils with  
24 valid test scores shall receive an API score with an asterisk that  
25 indicates less statistical certainty than API scores based on 100 or  
26 more test scores.

27 (2) A school or school district annually shall receive an API  
28 score, unless the Superintendent determines that an API score  
29 would be an invalid measure of the performance of the school or  
30 school district for one or more of the following reasons:

31 (A) Irregularities in testing procedures occurred.

32 (B) The data used to calculate the API score of the school or  
33 school district are not representative of the pupil population at the  
34 school or school district.

35 (C) Significant demographic changes in the pupil population  
36 render year-to-year comparisons of pupil performance invalid.

37 (D) The department discovers or receives information indicating  
38 that the integrity of the API score has been compromised.

39 (E) Insufficient pupil participation in the assessments included  
40 in the API.

1 (F) A transition to new standards-based assessments  
2 compromises comparability of results across schools or school  
3 districts. The Superintendent may use the authority in this  
4 subparagraph in the 2013–14 and 2014–15 school years only,  
5 with approval of the state board.

6 (3) If a school or school district has fewer than 100 pupils with  
7 valid test scores, the calculation of the API or adequate yearly  
8 progress pursuant to the federal No Child Left Behind Act of 2001  
9 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be  
10 calculated over more than one annual administration of the tests  
11 administered pursuant to Section 60640 and the high school exit  
12 examination administered pursuant to Section 60851, consistent  
13 with regulations adopted by the state board.

14 (4) Any school or school district that does not receive an API  
15 calculated pursuant to subparagraph (F) of paragraph (2) shall  
16 not receive an API growth target pursuant to subdivision (c).  
17 Schools and school districts that do not have an API calculated  
18 pursuant to subparagraph (F) of paragraph (2) shall use one of  
19 the following:

20 (A) The most recent API calculation.

21 (B) An average of the three most recent annual API calculations.

22 (C) Alternative measures that show increases in pupil academic  
23 achievement for all groups of pupils schoolwide and among  
24 significant subgroups.

25 (f) Only schools with 100 or more test scores contributing to  
26 the API may be included in the API rankings.

27 (g) The Superintendent, with the approval of the state board,  
28 shall develop an alternative accountability system for schools under  
29 the jurisdiction of a county board of education or a county  
30 superintendent of schools, community day schools, nonpublic,  
31 nonsectarian schools pursuant to Section 56366, and alternative  
32 schools serving high-risk pupils, including continuation high  
33 schools and opportunity schools. Schools in the alternative  
34 accountability system may receive an API score, but shall not be  
35 included in the API rankings.

36 (h) For purposes of this section, county offices of education  
37 shall be considered school districts.

38 SEC. 5. Section 52060 of the Education Code is amended to  
39 read:

1 52060. (a) On or before July 1, 2014, the governing board of  
2 each school district shall adopt a local control and accountability  
3 plan using a template adopted by the state board.

4 (b) A local control and accountability plan adopted by a  
5 governing board of a school district shall be effective for a period  
6 of three years, and shall be updated on or before July 1 of each  
7 year.

8 (c) A local control and accountability plan adopted by a  
9 governing board of a school district shall include, for the school  
10 district and each school within the school district, a description of  
11 all of the following:

12 (1) The annual goals, for all pupils and each subgroup of pupils  
13 identified pursuant to Section 52052, to be achieved for each of  
14 the state priorities identified in subdivision (d) and for any  
15 additional local priorities identified by the governing board of the  
16 school district. For purposes of this article, a subgroup of pupils  
17 identified pursuant to Section 52052 shall be a numerically  
18 significant pupil subgroup as specified in paragraphs (2) and (3)  
19 of subdivision (a) of Section 52052.

20 (2) The specific actions the school district will take during each  
21 year of the local control and accountability plan to achieve the  
22 goals identified in paragraph (1), including the enumeration of any  
23 specific actions necessary for that year to correct any deficiencies  
24 in regard to the state priorities listed in paragraph (1) of subdivision  
25 (d).

26 (3) A listing and description of the expenditures for the initial  
27 fiscal year implementing the specific actions included in the local  
28 control and accountability plan, ~~as a result of the goals and actions~~  
29 ~~required by paragraphs (1) and (2):~~ *plan*.

30 (4) A listing and description of the expenditures for the initial  
31 fiscal year that will serve pupils to whom one or more of the  
32 definitions in Section 42238.01 apply and pupils reclassified as  
33 fluent English proficient.

34 (d) All of the following are state priorities:

35 (1) The degree to which the teachers of the school district are  
36 appropriately assigned in accordance with Section 44258.9, and  
37 fully credentialed in the subject areas, and, for the pupils they are  
38 teaching, every pupil in the school district has sufficient access to  
39 the standards-aligned instructional materials as determined pursuant

1 to Section 60119, and school facilities are maintained in good  
2 repair as specified in subdivision (d) of Section 17002.

3 (2) Implementation of the academic content and performance  
4 standards adopted by the state board, including how the programs  
5 and services will enable English learners to access the common  
6 core academic content standards adopted pursuant to Section  
7 60605.8 and the English language development standards adopted  
8 pursuant to Section 60811.3 for purposes of gaining academic  
9 content knowledge and English language proficiency.

10 (3) Parental involvement, including efforts the school district  
11 makes to seek parent input in making decisions for the school  
12 district and each individual schoolsite, and including how the  
13 school district will promote parental participation in programs for  
14 unduplicated pupils and individuals with exceptional needs.

15 (4) Pupil achievement, including for each subgroup as identified  
16 in Section 52052, as measured by all of the following, as  
17 applicable:

18 (A) Statewide assessments administered pursuant to Article 4  
19 (commencing with Section 60640) of Chapter 5 of Part 33 or any  
20 subsequent assessment, as certified by the state board.

21 (B) The Academic Performance Index, as described in Section  
22 52052.

23 (C) The percentage of pupils who have successfully completed  
24 courses that satisfy the requirements for entrance to the University  
25 of California and the California State University, or career technical  
26 education sequences or clusters of courses that satisfy the  
27 requirements of subdivision (a) of Section 52302, subdivision (a)  
28 of Section 52372.5, or paragraph (2) of subdivision (e) of Section  
29 54692, and align with state board-approved career technical  
30 education standards and frameworks.

31 (D) The percentage of English learner pupils who make progress  
32 toward English proficiency as measured by the California English  
33 Language Development Test or any subsequent assessment of  
34 English proficiency, as certified by the state board.

35 (E) The English learner reclassification rate.

36 (F) The percentage of pupils who have passed an advanced  
37 placement examination with a score of 3 or higher.

38 (G) The percentage of pupils who participate in, and demonstrate  
39 college preparedness pursuant to, the Early Assessment Program,  
40 as described in Chapter 6 (commencing with Section 99300) of

1 Part 65 of Division 14 of Title 3, or any subsequent assessment of  
2 college preparedness.

3 (5) Pupil engagement, as measured by all of the following, as  
4 applicable:

5 (A) School attendance rates.

6 (B) Chronic absenteeism rates.

7 (C) Middle school dropout rates, as described in paragraph (3)  
8 of subdivision (a) of Section 52052.1.

9 (D) High school dropout rates.

10 (E) High school graduation rates.

11 (6) School climate, as measured by all of the following, as  
12 applicable:

13 (A) Pupil suspension rates.

14 (B) Pupil expulsion rates.

15 (C) Other local measures, including surveys of pupils, parents,  
16 and teachers on the sense of safety and school connectedness.

17 (7) The extent to which pupils have access to, and are enrolled  
18 in, a broad course of study that includes all of the subject areas  
19 described in Section 51210 and subdivisions (a) to (i), inclusive,  
20 of Section 51220, as applicable, including the programs and  
21 services developed and provided to unduplicated pupils and  
22 individuals with exceptional needs, and the program and services  
23 that are provided to benefit these pupils as a result of the funding  
24 received pursuant to Section 42238.02, as implemented by Section  
25 42238.03.

26 (8) Pupil outcomes, if available, in the subject areas described  
27 in Section 51210 and subdivisions (a) to (i), inclusive, of Section  
28 51220, as applicable.

29 (9) The extent to which teachers, administrators, and staff  
30 receive professional development or participate in induction  
31 programs, including the type and subject areas of the professional  
32 development provided.

33 (e) For purposes of the descriptions required by subdivision (c),  
34 a governing board of a school district may consider qualitative  
35 information, including, but not limited to, findings that result from  
36 school quality reviews conducted pursuant to subparagraph (J) or  
37 paragraph (4) of subdivision (a) of Section 52052 or any other  
38 reviews.

1 (f) To the extent practicable, data reported in a local control and  
2 accountability plan shall be reported in a manner consistent with  
3 how information is reported on a school accountability report card.

4 (g) A governing board of a school district shall consult with  
5 teachers, principals, administrators, other school personnel, parents,  
6 and pupils in developing a local control and accountability plan.

7 (h) A school district may identify local priorities, goals in regard  
8 to the local priorities, and the method for measuring the school  
9 district's progress toward achieving those goals.

10 *SEC. 5.5. Section 52060 of the Education Code is amended to*  
11 *read:*

12 52060. (a) On or before July 1, 2014, the governing board of  
13 each school district shall adopt a local control and accountability  
14 plan using a template adopted by the state board.

15 (b) A local control and accountability plan adopted by a  
16 governing board of a school district shall be effective for a period  
17 of three years, and shall be updated on or before July 1 of each  
18 year.

19 (c) A local control and accountability plan adopted by a  
20 governing board of a school district shall include, for the school  
21 district and each school within the school district, ~~a description of~~  
22 ~~both~~ all of the following:

23 (1) ~~The~~ *A description of the* annual goals, for all pupils and each  
24 subgroup of pupils identified pursuant to Section 52052, to be  
25 achieved for each of the state priorities identified in subdivision  
26 (d) and for any additional local priorities identified by the  
27 governing board of the school district. For purposes of this article,  
28 a subgroup of pupils identified pursuant to Section 52052 shall be  
29 a numerically significant pupil subgroup as specified in paragraphs  
30 (2) and (3) of subdivision (a) of Section 52052.

31 (2) ~~The~~ *A description of the* specific actions the school district  
32 will take during each year of the local control and accountability  
33 plan to achieve the goals identified in paragraph (1), including the  
34 enumeration of any specific actions necessary for that year to  
35 correct any deficiencies in regard to the state priorities listed in  
36 paragraph (1) of subdivision (d). *The specific actions shall be*  
37 *consistent with local collective bargaining agreements within the*  
38 *jurisdiction of the school districts.*

1 (3) *A listing and description of the expenditures for the initial*  
2 *and 2014–15 fiscal years implementing the specific actions*  
3 *included in the local control and accountability plan.*

4 (4) *A listing and description of the expenditures for the initial*  
5 *and 2014–15 fiscal years that will serve pupils to whom one or*  
6 *more of the definitions in Section 42238.01 apply, and pupils*  
7 *reclassified or redesignated as fluent English proficient.*

8 (d) All of the following are state priorities:

9 (1) The degree to which the teachers of the school district are  
10 appropriately assigned in accordance with Section 44258.9, and  
11 fully credentialed in the subject areas, and, for the pupils they are  
12 teaching, every pupil in the school district has sufficient access to  
13 the standards-aligned instructional materials as determined pursuant  
14 to Section 60119, and school facilities are maintained in good  
15 repair as specified in subdivision (d) of Section 17002.

16 (2) Implementation of the academic content and performance  
17 standards adopted by the state board, including how the programs  
18 and services will enable English learners to access the common  
19 core academic content standards adopted pursuant to Section  
20 60605.8 and the English language development standards adopted  
21 pursuant to Section 60811.3 for purposes of gaining academic  
22 content knowledge and English language proficiency.

23 (3) Parental involvement, including efforts the school district  
24 makes to seek parent input in making decisions for the school  
25 district and each individual schoolsite, and including how the  
26 school district will promote parental participation in programs for  
27 unduplicated pupils and individuals with exceptional needs.

28 (4) Pupil achievement, *including for each subgroup as identified*  
29 *in Section 52052*, as measured by all of the following, as  
30 applicable:

31 (A) Statewide assessments administered pursuant to Article 4  
32 (commencing with Section 60640) of Chapter 5 of Part 33 or any  
33 subsequent assessment, as certified by the state board.

34 (B) The Academic Performance Index, as described in Section  
35 52052.

36 (C) The percentage of pupils who have successfully completed  
37 courses that satisfy the requirements for entrance to the University  
38 of California and the California State University, or career technical  
39 education sequences ~~or clusters of courses that satisfy the~~  
40 ~~requirements of programs of study that align with state~~

1 *board-approved career technical educational standards and*  
2 *frameworks, including, but not limited to, those described in*  
3 *subdivision (a) of Section 52302, subdivision (a) of Section*  
4 *52372.5, or paragraph (2) of subdivision (e) of Section ~~54692~~, and*  
5 *align with state board-approved career technical education*  
6 *standards and frameworks. 54692.*

7 (D) The percentage of English learner pupils who make progress  
8 toward English proficiency as measured by the California English  
9 Language Development Test or any subsequent assessment of  
10 English proficiency, as certified by the state board.

11 (E) The English learner reclassification rate.

12 (F) The percentage of pupils who have passed an advanced  
13 placement examination with a score of 3 or higher.

14 (G) The percentage of pupils who participate in, and demonstrate  
15 college preparedness pursuant to, the Early Assessment Program,  
16 as described in Chapter 6 (commencing with Section 99300) of  
17 Part 65 of Division 14 of Title 3, or any subsequent assessment of  
18 college preparedness.

19 (5) Pupil engagement, as measured by all of the following, as  
20 applicable:

21 (A) School attendance rates.

22 (B) Chronic absenteeism rates.

23 (C) Middle school dropout rates, as described in paragraph (3)  
24 of subdivision (a) of Section 52052.1.

25 (D) High school dropout rates.

26 (E) High school graduation rates.

27 (6) School climate, as measured by all of the following, as  
28 applicable:

29 (A) Pupil suspension rates.

30 (B) Pupil expulsion rates.

31 (C) Other local measures, including surveys of pupils, parents,  
32 and teachers on the sense of safety and school connectedness.

33 (7) The extent to which pupils have access to, and are enrolled  
34 in, a broad course of study that includes all of the subject areas  
35 described in Section 51210 and subdivisions (a) to (i), inclusive,  
36 of Section 51220, as applicable, including the programs and  
37 services developed and provided to unduplicated pupils and  
38 individuals with exceptional needs, and the program and services  
39 that are provided to benefit these pupils as a result of the funding

1 received pursuant to Section 42238.02, as implemented by Section  
2 42238.03.

3 (8) Pupil outcomes, if available, in the subject areas described  
4 in Section 51210 and subdivisions (a) to (i), inclusive, of Section  
5 51220, as applicable.

6 (9) *The extent to which teachers, administrators, and staff*  
7 *receive professional development or participate in induction*  
8 *programs, including the type and subject areas of the professional*  
9 *development provided.*

10 (e) For purposes of the descriptions required by subdivision (c),  
11 a governing board of a school district may consider qualitative  
12 information, including, but not limited to, findings that result from  
13 school quality reviews conducted pursuant to subparagraph (J) or  
14 paragraph (4) of subdivision (a) of Section 52052 or any other  
15 reviews.

16 (f) To the extent practicable, data reported in a local control and  
17 accountability plan shall be reported in a manner consistent with  
18 how information is reported on a school accountability report card.

19 (g) A governing board of a school district shall consult with  
20 teachers, principals, administrators, other school personnel, *local*  
21 *bargaining units of the school district*, parents, and pupils in  
22 developing a local control and accountability plan.

23 (h) A school district may identify local priorities, goals in regard  
24 to the local priorities, and the method for measuring the school  
25 district's progress toward achieving those goals.

26 SEC. 6. Section 52061 of the Education Code is amended to  
27 read:

28 52061. (a) On or before July 1, 2015, and each year thereafter,  
29 a school district shall update the local control and accountability  
30 plan. The annual update shall be developed using a template  
31 developed pursuant to Section 52064 and shall include all of the  
32 following:

33 (1) A review of any changes in the applicability of the goals  
34 described in paragraph (1) of subdivision (c) of Section 52060.

35 (2) A review of the progress toward the goals included in the  
36 existing local control and accountability plan, an assessment of  
37 the effectiveness of the specific actions described in the existing  
38 local control and accountability plan toward achieving the goals,  
39 and a description of changes to the specific actions the school  
40 district will make as a result of the review and assessment.

1 (3) A listing and description of the expenditures for the fiscal  
2 year implementing the specific actions included in the local control  
3 and accountability ~~plan, including~~ *plan and* the changes to the  
4 specific actions made as a result of the reviews and assessment  
5 required by paragraphs (1) and (2).

6 (4) A listing and description of expenditures for the fiscal year  
7 that will serve the pupils to whom one or more of the definitions  
8 in Section 42238.01 apply and pupils redesignated as fluent English  
9 proficient.

10 (b) The expenditures identified in subdivision (a) of this section  
11 and subdivision (c) of Section 52060 shall be classified using the  
12 California School Accounting Manual pursuant to Section 41010.

13 SEC. 7. Section 52062 of the Education Code is amended to  
14 read:

15 52062. (a) Before the governing board of a school district  
16 considers the adoption of a local control and accountability plan  
17 or an annual update to the local control and accountability plan,  
18 all of the following shall occur:

19 (1) The superintendent of the school district shall present the  
20 local control and accountability plan or annual update to the local  
21 control and accountability plan to the parent advisory committee  
22 established pursuant to Section 52063 for review and comment.  
23 The superintendent of the school district shall respond, in writing,  
24 to comments received from the parent advisory committee.

25 (2) The superintendent of the school district shall present the  
26 local control and accountability plan or annual update to the local  
27 control and accountability plan to the English learner parent  
28 advisory committee established pursuant to Section 52063, if  
29 applicable, for review and comment. The superintendent of the  
30 school district shall respond, in writing, to comments received  
31 from the English learner parent advisory committee.

32 (3) The superintendent of the school district shall notify  
33 members of the public of the opportunity to submit written  
34 comments regarding the specific actions and expenditures proposed  
35 to be included in the local control and accountability plan or annual  
36 update to the local control and accountability plan, using the most  
37 efficient method of notification possible. This paragraph shall not  
38 require a school district to produce printed notices or to send  
39 notices by ~~mail, but any notifications provided to parents shall be~~  
40 ~~subject to Section 48985.~~ *mail. The superintendent of the school*

1 *district shall ensure that all written notifications related to the*  
2 *local control and accountability plan or annual update to the local*  
3 *control and accountability plan are provided consistent with*  
4 *Section 48985.*

5 (4) The superintendent of the school district shall review school  
6 plans submitted pursuant to Section 64001 for schools within the  
7 school district and ensure that the specific actions included in the  
8 local control and accountability plan or annual update to the local  
9 control and accountability plan are consistent with strategies  
10 included in the school plans submitted pursuant to Section 64001.

11 (b) (1) A governing board of a school district shall hold at least  
12 one public hearing to solicit the recommendations and comments  
13 of members of the public regarding the specific actions and  
14 expenditures proposed to be included in the local control and  
15 accountability plan or annual update to the local control and  
16 accountability plan. The agenda for the public hearing shall be  
17 posted at least 72 hours before the public hearing and shall include  
18 the location where the local control and accountability plan or  
19 annual update to the local control and accountability plan will be  
20 available for public inspection. The public hearing shall be held  
21 at the same meeting as the public hearing required by paragraph  
22 (1) of subdivision (a) of Section 42127.

23 (2) A governing board of a school district shall adopt a local  
24 control and accountability plan or annual update to the local control  
25 and accountability plan in a public meeting. This meeting shall be  
26 held after, but not on the same day as, the public hearing held  
27 pursuant to paragraph (1). This meeting shall be the same meeting  
28 as that during which the governing board of the school district  
29 adopts a budget pursuant to paragraph (2) of subdivision (a) of  
30 Section 42127.

31 (c) A governing board of a school district may adopt revisions  
32 to a local control and accountability plan during the period the  
33 local control and accountability plan is in effect. A governing board  
34 of a school district may only adopt a revision to a local control  
35 and accountability plan if it follows the process to adopt a local  
36 control and accountability plan pursuant to this section and the  
37 revisions are adopted in a public meeting.

38 SEC. 8. Section 52063 of the Education Code is amended to  
39 read:

1 52063. (a) (1) The governing board of a school district shall  
2 establish a districtwide parent advisory committee to provide advice  
3 to the governing board of the school district and the superintendent  
4 of the school district regarding the requirements of this article.

5 (2) A parent advisory committee shall include parents or legal  
6 guardians of pupils to whom one or more of the definitions in  
7 Section 42238.01 apply.

8 (3) This subdivision shall not require the governing board of  
9 the school district to establish a new districtwide parent advisory  
10 committee if the governing board of the school district already has  
11 established a districtwide parent advisory committee that meets  
12 the requirements of this subdivision, including any committee  
13 established to meet the requirements of the federal No Child Left  
14 Behind Act of 2001 (Public Law 107-110) pursuant to Section  
15 1112 of Subpart 1 of Part A of Title I of that act.

16 (b) As a condition of receipt of state supplemental grant funds,  
17 the governing board of a school district shall establish a districtwide  
18 English learner parent advisory committee if the enrollment of the  
19 school district includes at least 15 percent English learners or the  
20 school district enrolls at least 50 pupils who are English learners.

21 (c) Districtwide English learner parent advisory committees  
22 shall advise the governing board of the school district on at least  
23 the following tasks:

24 (1) Establishment of school district goals and objectives for  
25 programs and services for English learners to ensure that the  
26 academic and language proficiency needs of English learners,  
27 including long-term English learners and English learners at risk  
28 of becoming long-term English learners, as defined in Section  
29 313.1, are being met.

30 (2) Administration of the home language survey.

31 (3) School district reclassification procedures, consistent with  
32 the procedures developed pursuant to subdivision (f) of Section  
33 313.

34 (d) This section shall not require the governing board of the  
35 school district to establish a new districtwide English learner parent  
36 advisory committee if the governing board of the school district  
37 already has established a school district level parent advisory  
38 committee that meets the applicable requirements of this section.

39 SEC. 9. Section 52064 of the Education Code is amended to  
40 read:

1 52064. (a) On or before March 31, 2014, the state board shall  
2 adopt templates for the following purposes:

3 (1) For use by school districts to meet the requirements of  
4 Sections 52060 to 52063, inclusive.

5 (2) For use by county superintendents of schools to meet the  
6 requirements of Sections 52066 to 52069, inclusive.

7 (3) For use by charter schools to meet the requirements of  
8 Section 47606.5.

9 (b) The templates developed by the state board shall allow a  
10 school district, county superintendent of schools, or charter school  
11 to complete a single local control and accountability plan to meet  
12 the requirements of this article, the requirements of the federal No  
13 Child Left Behind Act of 2001 related to local educational agency  
14 plans pursuant to Section 1112 of Subpart 1 of Part A of Title I of  
15 Public Law 107-110, and the requirements of the federal No Child  
16 Left Behind Act of 2001 (Public Law 107-110) and Section 64001  
17 related to the Single Plan for Pupil Achievement, including the  
18 requirements of Title III of the federal No Child Left Behind Act  
19 of 2001 (Public Law 107-110). The state board shall also take steps  
20 to minimize duplication of effort at the local level to the greatest  
21 extent possible.

22 (c) The templates developed by the state board shall ensure that  
23 each school district, county superintendent of schools, or charter  
24 school that receives supplemental and concentration funds for  
25 unduplicated pupils, pursuant to Sections 2574, 2575, 42238.02,  
26 and 42238.03, include information on the instructional programs  
27 and services provided to unduplicated pupils for the purpose of  
28 increasing their academic achievement, as referenced in Sections  
29 52060 and 52066, in its local control and accountability plan.

30 (d) The templates shall ensure that school districts, county  
31 superintendents of schools, or charter schools include information  
32 on the types of English language development instructional  
33 programs provided to English learners, and how those programs  
34 support the core instructional program, including, but not limited  
35 to, the types of instructional materials provided to pupils and the  
36 professional development provided to schoolsite staff.

37 (e) If possible, the templates identified in paragraph (2) of  
38 subdivision (a) for use by county superintendents of schools shall  
39 allow a county superintendent of schools to develop a single local

1 control and accountability plan that would also satisfy the  
2 requirements of Section 48926.

3 (f) The state board shall adopt the template pursuant to the  
4 requirements of the Administrative Procedure Act (Chapter 3.5  
5 (commencing with Section 11340) of Part 1 of Division 3 of Title  
6 2 of the Government Code). The state board may adopt emergency  
7 regulations for purposes of implementing this section.

8 (g) Revisions to a template or evaluation rubric shall be  
9 approved by the state board by January 31 before the fiscal year  
10 during which the template or evaluation rubric is to be used by a  
11 school district, county superintendent of schools, or charter school.

12 (h) The adoption of a template or evaluation rubric by the state  
13 board shall not create a requirement for a governing board of a  
14 school district, a county board of education, or a governing body  
15 of a charter school to submit a local control and accountability  
16 plan to the state board, unless otherwise required by federal law.  
17 The Superintendent shall not require a local control and  
18 accountability plan to be submitted by a governing board of a  
19 school district or the governing body of a charter school to the  
20 state board. The state board may adopt a template or evaluation  
21 rubric that would authorize a school district or a charter school to  
22 submit to the state board only the sections of the local control and  
23 accountability plan required by federal law.

24 SEC. 10. Section 52066 of the Education Code is amended to  
25 read:

26 52066. (a) On or before July 1, 2014, each county  
27 superintendent of schools shall develop, and present to the county  
28 board of education for adoption, a local control and accountability  
29 plan using a template adopted by the state board.

30 (b) A local control and accountability plan adopted by a county  
31 board of education shall be effective for a period of three years,  
32 and shall be updated on or before July 1 of each year.

33 (c) A local control and accountability plan adopted by a county  
34 board of education shall include, for each school or program  
35 operated by the county superintendent of schools, a description of  
36 all of the following:

37 (1) The annual goals, for all pupils and each subgroup of pupils  
38 identified pursuant to Section 52052, to be achieved for each of  
39 the state priorities identified in subdivision (d), as applicable to

1 the pupils served, and for any additional local priorities identified  
2 by the county board of education.

3 (2) The specific actions the county superintendent of schools  
4 will take during each year of the local control and accountability  
5 plan to achieve the goals identified in paragraph (1), including the  
6 enumeration of any specific actions necessary for that year to  
7 correct any deficiencies in regard to the state priorities listed in  
8 paragraph (1) of subdivision (d).

9 (3) A listing and description of the expenditures for the ~~initial~~  
10 fiscal year implementing the specific actions included in the local  
11 control and accountability plan, ~~as a result of the goals and actions~~  
12 ~~required by paragraphs (1) and~~ *plan pursuant to paragraph (2)*.

13 (4) A listing and description of expenditures for the ~~initial~~ fiscal  
14 year that will serve the pupils to whom one or more of the  
15 definitions in Section 42238.01 apply and pupils redesignated as  
16 fluent English proficient.

17 (d) All of the following are state priorities:

18 (1) The degree to which the teachers in the schools or programs  
19 operated by the county superintendent of schools are appropriately  
20 assigned in accordance with Section 44258.9 and fully credentialed  
21 in the subject areas, and, for the pupils they are teaching, every  
22 pupil in the schools or programs operated by the county  
23 superintendent of schools has sufficient access to the  
24 standards-aligned instructional materials as determined pursuant  
25 to Section 60119, and school facilities are maintained in good  
26 repair as specified in subdivision (d) of Section 17002.

27 (2) Implementation of the academic content and performance  
28 standards adopted by the state board, including how the programs  
29 and services will enable English learners to access the common  
30 core academic content standards adopted pursuant to Section  
31 60605.8 and the English language development standards adopted  
32 pursuant to Section 60811.3 for purposes of gaining academic  
33 content knowledge and English language proficiency.

34 (3) Parental involvement, including efforts the county  
35 superintendent of schools makes to seek parent input in making  
36 decisions for each individual schoolsite and program operated by  
37 a county superintendent of schools, and including how the county  
38 superintendent of schools will promote parental participation in  
39 programs for unduplicated pupils and individuals with exceptional  
40 needs.

1 (4) Pupil achievement, including for each of the subgroups  
2 identified pursuant to Section 52052, as measured by all of the  
3 following, as applicable:

4 (A) Statewide assessments administered pursuant to Article 4  
5 (commencing with Section 60640) of Chapter 5 of Part 33 or any  
6 subsequent assessment, as certified by the state board.

7 (B) The Academic Performance Index, as described in Section  
8 52052.

9 (C) The percentage of pupils who have successfully completed  
10 courses that satisfy the requirements for entrance to the University  
11 of California and the California State University, or career technical  
12 education sequences or clusters of courses that satisfy the  
13 requirements of subdivision (a) of Section 52302, subdivision (a)  
14 of Section 52372.5, or paragraph (2) of subdivision (e) of Section  
15 54692, and align with state board-approved career technical  
16 education standards and frameworks.

17 (D) The percentage of English learner pupils who make progress  
18 toward English proficiency as measured by the California English  
19 Language Development Test or any subsequent assessment of  
20 English proficiency, as certified by the state board.

21 (E) The English learner reclassification rate.

22 (F) The percentage of pupils who have passed an advanced  
23 placement examination with a score of 3 or higher.

24 (G) The percentage of pupils who participate in, and demonstrate  
25 college preparedness pursuant to, the Early Assessment Program,  
26 as described in Chapter 6 (commencing with Section 99300) of  
27 Part 65 of Division 14 of Title 3, or any subsequent assessment of  
28 college preparedness.

29 (5) Pupil engagement, as measured by all of the following, as  
30 applicable:

31 (A) School attendance rates.

32 (B) Chronic absenteeism rates.

33 (C) Middle school dropout rates, as described in paragraph (3)  
34 of subdivision (a) of Section 52052.1.

35 (D) High school dropout rates.

36 (E) High school graduation rates.

37 (6) School climate, as measured by all of the following, as  
38 applicable:

39 (A) Pupil suspension rates.

40 (B) Pupil expulsion rates.

- 1 (C) Other local measures, including surveys of pupils, parents,  
2 and teachers on the sense of safety and school connectedness.
- 3 (7) The extent to which pupils have access to, and are enrolled  
4 in, a broad course of study that includes all of the subject areas  
5 described in Section 51210 and subdivisions (a) to (i), inclusive,  
6 of Section 51220, as applicable, including the programs and  
7 services developed and provided to unduplicated pupils and  
8 individuals with exceptional needs, and the program and services  
9 that are provided to benefit these pupils as a result of the funding  
10 received pursuant to Section 42238.02, as implemented by Section  
11 42238.03.
- 12 (8) Pupil outcomes, if available, in the subject areas described  
13 in Section 51210 and subdivisions (a) to (i), inclusive, of Section  
14 51220, as applicable.
- 15 (9) How the county superintendent of schools will coordinate  
16 instruction of expelled pupils pursuant to Section 48926.
- 17 (10) How the county superintendent of schools will coordinate  
18 services for foster children, including, but not limited to, all of the  
19 following:
- 20 (A) Working with the county child welfare agency to minimize  
21 changes in school placement.
- 22 (B) Providing education-related information to the county child  
23 welfare agency to assist the county child welfare agency in the  
24 delivery of services to foster children, including, but not limited  
25 to, educational status and progress information that is required to  
26 be included in court reports.
- 27 (C) Responding to requests from the juvenile court for  
28 information and working with the juvenile court to ensure the  
29 delivery and coordination of necessary educational services.
- 30 (D) Establishing a mechanism for the efficient expeditious  
31 transfer of health and education records and the health and  
32 education passport.
- 33 (11) The extent to which teachers, administrators, and staff  
34 receive professional development or participate in induction  
35 programs, including the type and subject areas of the professional  
36 development provided.
- 37 (e) For purposes of the descriptions required by subdivision (c),  
38 a county board of education may consider qualitative information,  
39 including, but not limited to, findings that result from school quality

1 reviews conducted pursuant to subparagraph (J) or paragraph (4)  
2 of subdivision (a) of Section 52052 or any other reviews.

3 (f) To the extent practicable, data reported in a local control and  
4 accountability plan shall be reported in a manner consistent with  
5 how information is reported on a school accountability report card.

6 (g) The county superintendent of schools shall consult with  
7 teachers, principals, administrators, other school personnel, parents,  
8 and pupils in developing a local control and accountability plan.

9 (h) A county board of education may identify local priorities,  
10 goals in regard to the local priorities, and the method for measuring  
11 the county office of education’s progress toward achieving those  
12 goals.

13 *SEC. 10.5. Section 52066 of the Education Code is amended*  
14 *to read:*

15 52066. (a) On or before July 1, 2014, each county  
16 superintendent of schools shall develop, and present to the county  
17 board of education for adoption, a local control and accountability  
18 plan using a template adopted by the state board.

19 (b) A local control and accountability plan adopted by a county  
20 board of education shall be effective for a period of three years,  
21 and shall be updated on or before July 1 of each year.

22 (c) A local control and accountability plan adopted by a county  
23 board of education shall include, for each school or program  
24 operated by the county superintendent of schools, ~~a description of~~  
25 ~~both~~ all of the following:

26 (1) ~~The~~ *A description of the* annual goals, for all pupils and each  
27 subgroup of pupils identified pursuant to Section 52052, to be  
28 achieved for each of the state priorities identified in subdivision  
29 (d), as applicable to the pupils served, and for any additional local  
30 priorities identified by the county board of education.

31 (2) ~~The~~ *A description of the* specific actions the county  
32 superintendent of schools will take during each year of the local  
33 control and accountability plan to achieve the goals identified in  
34 paragraph (1), including the enumeration of any specific actions  
35 necessary for that year to correct any deficiencies in regard to the  
36 state priorities listed in paragraph (1) of subdivision (d). *The*  
37 *specific actions shall be consistent with local collective bargaining*  
38 *agreements within the jurisdiction of the county superintendent of*  
39 *schools.*

1 (3) *A listing and description of the expenditures for the fiscal*  
2 *year implementing the specific actions included in the local control*  
3 *and accountability plan pursuant to paragraph (2).*

4 (4) *A listing and description of expenditures for the fiscal year*  
5 *that will serve the pupils to whom one or more of the definitions*  
6 *in Section 42238.01 apply, and pupils redesignated as fluent*  
7 *English proficient.*

8 (d) All of the following are state priorities:

9 (1) The degree to which the teachers in the schools or programs  
10 operated by the county superintendent of schools are appropriately  
11 assigned in accordance with Section 44258.9 and fully credentialed  
12 in the subject areas, and, for the pupils they are teaching, every  
13 pupil in the schools or programs operated by the county  
14 superintendent of schools has sufficient access to the  
15 standards-aligned instructional materials as determined pursuant  
16 to Section 60119, and school facilities are maintained in good  
17 repair as specified in subdivision (d) of Section 17002.

18 (2) Implementation of the academic content and performance  
19 standards adopted by the state board, including how the programs  
20 and services will enable English learners to access the common  
21 core academic content standards adopted pursuant to Section  
22 60605.8 and the English language development standards adopted  
23 pursuant to Section 60811.3 for purposes of gaining academic  
24 content knowledge and English language proficiency.

25 (3) Parental involvement, including efforts the county  
26 superintendent of schools makes to seek parent input in making  
27 decisions for each individual schoolsite and program operated by  
28 a county superintendent of schools, and including how the county  
29 superintendent of schools will promote parental participation in  
30 programs for unduplicated pupils and individuals with exceptional  
31 needs.

32 (4) Pupil achievement, *including for each of the subgroups*  
33 *identified pursuant to Section 52052*, as measured by all of the  
34 following, as applicable:

35 (A) Statewide assessments administered pursuant to Article 4  
36 (commencing with Section 60640) of Chapter 5 of Part 33 or any  
37 subsequent assessment, as certified by the state board.

38 (B) The Academic Performance Index, as described in Section  
39 52052.

1 (C) The percentage of pupils who have successfully completed  
2 courses that satisfy the requirements for entrance to the University  
3 of California and the California State University, or career technical  
4 education sequences ~~or clusters of courses that satisfy the~~  
5 ~~requirements of programs of study that align with state~~  
6 ~~board-approved career technical education standards and~~  
7 ~~frameworks, including, but not limited to, those described in~~  
8 subdivision (a) of Section 52302, subdivision (a) of Section  
9 52372.5, or paragraph (2) of subdivision (e) of Section ~~54692, and~~  
10 ~~align with state board-approved career technical education~~  
11 ~~standards and frameworks. 54692.~~

12 (D) The percentage of English learner pupils who make progress  
13 toward English proficiency as measured by the California English  
14 Language Development Test or any subsequent assessment of  
15 English proficiency, as certified by the state board.

16 (E) The English learner reclassification rate.

17 (F) The percentage of pupils who have passed an advanced  
18 placement examination with a score of 3 or higher.

19 (G) The percentage of pupils who participate in, and demonstrate  
20 college preparedness pursuant to, the Early Assessment Program,  
21 as described in Chapter 6 (commencing with Section 99300) of  
22 Part 65 of Division 14 of Title 3, or any subsequent assessment of  
23 college preparedness.

24 (5) Pupil engagement, as measured by all of the following, as  
25 applicable:

26 (A) School attendance rates.

27 (B) Chronic absenteeism rates.

28 (C) Middle school dropout rates, as described in paragraph (3)  
29 of subdivision (a) of Section 52052.1.

30 (D) High school dropout rates.

31 (E) High school graduation rates.

32 (6) School climate, as measured by all of the following, as  
33 applicable:

34 (A) Pupil suspension rates.

35 (B) Pupil expulsion rates.

36 (C) Other local measures, including surveys of pupils, parents,  
37 and teachers on the sense of safety and school connectedness.

38 (7) The extent to which pupils have access to, and are enrolled  
39 in, a broad course of study that includes all of the subject areas  
40 described in Section 51210 and subdivisions (a) to (i), inclusive,

1 of Section 51220, as applicable, including the programs and  
2 services developed and provided to unduplicated pupils and  
3 individuals with exceptional needs, and the program and services  
4 that are provided to benefit these pupils as a result of the funding  
5 received pursuant to Section 42238.02, as implemented by Section  
6 42238.03.

7 (8) Pupil outcomes, if available, in the subject areas described  
8 in Section 51210 and subdivisions (a) to (i), inclusive, of Section  
9 51220, as applicable.

10 (9) How the county superintendent of schools will coordinate  
11 instruction of expelled pupils pursuant to Section 48926.

12 (10) How the county superintendent of schools will coordinate  
13 services for foster children, including, but not limited to, all of the  
14 following:

15 (A) Working with the county child welfare agency to minimize  
16 changes in school placement.

17 (B) Providing education-related information to the county child  
18 welfare agency to assist the county child welfare agency in the  
19 delivery of services to foster children, including, but not limited  
20 to, educational status and progress information that is required to  
21 be included in court reports.

22 (C) Responding to requests from the juvenile court for  
23 information and working with the juvenile court to ensure the  
24 delivery and coordination of necessary educational services.

25 (D) Establishing a mechanism for the efficient expeditious  
26 transfer of health and education records and the health and  
27 education passport.

28 *(11) The extent to which teachers, administrators, and staff*  
29 *receive professional development or participate in induction*  
30 *programs, including the type and subject areas of the professional*  
31 *development provided.*

32 (e) For purposes of the descriptions required by subdivision (c),  
33 a county board of education may consider qualitative information,  
34 including, but not limited to, findings that result from school quality  
35 reviews conducted pursuant to subparagraph (J) or paragraph (4)  
36 of subdivision (a) of Section 52052 or any other reviews.

37 (f) To the extent practicable, data reported in a local control and  
38 accountability plan shall be reported in a manner consistent with  
39 how information is reported on a school accountability report card.

1 (g) The county superintendent of schools shall consult with  
2 teachers, principals, administrators, other school personnel, *local*  
3 *bargaining units of the county office of education*, parents, and  
4 pupils in developing a local control and accountability plan.

5 (h) A county board of education may identify local priorities,  
6 goals in regard to the local priorities, and the method for measuring  
7 the county office of education's progress toward achieving those  
8 goals.

9 SEC. 11. Section 52067 of the Education Code is amended to  
10 read:

11 52067. (a) On or before July 1, 2015, and each year thereafter,  
12 a county board of education shall update the local control and  
13 accountability plan. The annual update shall be developed using  
14 a template developed pursuant to Section 52064 and shall include  
15 all of the following:

16 (1) A review of any changes in the applicability of the goals  
17 described in paragraph (1) of subdivision (c) of Section 52066.

18 (2) A review of the progress toward the goals included in the  
19 existing local control and accountability plan, an assessment of  
20 the effectiveness of the specific actions described in the existing  
21 local control and accountability plan toward achieving the goals,  
22 and a description of changes to the specific actions the county  
23 office of education will make as a result of the review and  
24 assessment.

25 (3) A listing and description of the expenditures for the fiscal  
26 year implementing the specific actions included in the local control  
27 and accountability plan, including the changes to the specific  
28 actions made as a result of the reviews and assessment required  
29 by paragraphs (1) and (2).

30 (4) A listing and description of expenditures for the county  
31 office of education and each school for the fiscal year that will  
32 serve the pupils to whom one or more of the definitions in Section  
33 42238.01 apply and pupils redesignated as fluent English proficient.

34 (b) The expenditures identified in subdivision (a) of this section  
35 and subdivision (c) of Section 52066 shall be classified using the  
36 California School Accounting Manual pursuant to Section 41010.

37 SEC. 12. Section 52068 of the Education Code is amended to  
38 read:

39 52068. (a) Before the county board of education considers the  
40 adoption of a local control and accountability plan or an annual

1 update to the local control and accountability plan, all of the  
2 following shall occur:

3 (1) The county superintendent of schools shall present the local  
4 control and accountability plan or annual update to the local control  
5 and accountability plan to a parent advisory committee established  
6 pursuant to Section 52069 for review and comment. The county  
7 superintendent of schools shall respond, in writing, to comments  
8 received from the parent advisory committee.

9 (2) The county superintendent of schools shall present the local  
10 control and accountability plan or annual update to the local control  
11 and accountability plan to the English learner parent advisory  
12 committee established pursuant to Section 52069, if applicable,  
13 for review and comment. The county superintendent of schools  
14 shall respond, in writing, to comments received from the English  
15 learner parent advisory committee.

16 (3) The county superintendent of schools shall notify members  
17 of the public of the opportunity to submit written comments  
18 regarding the specific actions and expenditures proposed to be  
19 included in the local control and accountability plan or annual  
20 update to the local control and accountability plan, using the most  
21 efficient method of notification possible. This paragraph shall not  
22 require a county superintendent of schools to produce printed  
23 notices or to send notices by mail, ~~but the notifications provided~~  
24 ~~to parents shall be subject to Section 48985.~~ *mail. The county*  
25 *superintendent of schools shall ensure that all written notifications*  
26 *related to the local control and accountability plan or annual*  
27 *update to the local control and accountability plan are provided*  
28 *consistent with Section 48985.*

29 (4) The county superintendent of schools shall review school  
30 plans submitted pursuant to Section 64001 for schools operated  
31 by the county superintendent of schools and ensure that the specific  
32 actions included in the local control and accountability plan or  
33 annual update to the local control and accountability plan are  
34 consistent with strategies included in the school ~~plans, plans~~  
35 submitted pursuant to Section 64001.

36 (b) (1) The county board of education shall hold at least one  
37 public hearing to solicit the recommendations and comments of  
38 members of the public regarding the specific actions and  
39 expenditures proposed to be included in the local control and  
40 accountability plan or annual update to the local control and

1 accountability plan. The agenda for the public hearing shall be  
 2 posted at least 72 hours before the public hearing and shall include  
 3 the location where the local control and accountability plan or  
 4 annual update to the local control and accountability plan, and any  
 5 comments received pursuant to paragraphs (1) to (3), inclusive, of  
 6 subdivision (a), will be available for public inspection. The public  
 7 hearing shall be held at the same meeting as the public hearing  
 8 required by Section 1620.

9 (2) The county board of education shall adopt a local control  
 10 and accountability plan or annual update to the local control and  
 11 accountability plan in a public meeting. This meeting shall be held  
 12 after, but not on the same day as, the public hearing held pursuant  
 13 to paragraph (1). This meeting shall be the same meeting as that  
 14 during which the county board of education adopts a budget  
 15 pursuant to Section 1622.

16 (c) A county superintendent of schools may develop and present  
 17 to a county board of education for adoption revisions to a local  
 18 control and accountability plan during the period the local control  
 19 and accountability plan is in effect. The county board of education  
 20 may only adopt a revision to a local control and accountability  
 21 plan if it follows the process to adopt a local control and  
 22 accountability plan pursuant to this section and the revisions are  
 23 adopted in a public meeting.

24 SEC. 13. Section 52069 of the Education Code is amended to  
 25 read:

26 52069. (a) (1) A county superintendent of schools shall  
 27 establish a parent advisory committee to provide advice to the  
 28 county board of education and the county superintendent of schools  
 29 regarding the requirements of this article.

30 (2) A parent advisory committee shall include parents or legal  
 31 guardians of pupils to whom one or more of the definitions in  
 32 Section 42238.01 apply.

33 (3) This subdivision shall not require the county superintendent  
 34 of schools to establish a new parent advisory committee if the  
 35 county superintendent of schools already has established a parent  
 36 advisory committee that meets the requirements of this subdivision,  
 37 including any committee established to meet the requirements of  
 38 the federal No Child Left Behind Act of 2001 (Public Law  
 39 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title  
 40 I of that act.

1 (b) (1) A county superintendent of schools shall establish an  
2 English learner parent advisory committee if the enrollment of the  
3 pupils in the schools and programs operated by the county  
4 superintendent of schools includes at least 15 percent English  
5 learners or the schools and programs operated by the county  
6 superintendent of schools enroll at least 50 pupils who are English  
7 learners.

8 (2) This subdivision shall not require the county superintendent  
9 of schools to establish a new English learner parent advisory  
10 committee if the county superintendent of schools already has  
11 established a committee that meets the requirements of this  
12 subdivision.

13 (3) A representative of the English learner parent advisory  
14 committee shall be a member of the parent advisory committee  
15 established pursuant to paragraph (1) of subdivision (a).

16 SEC. 14. Section 52070 of the Education Code is amended to  
17 read:

18 52070. (a) Not later than five days after adoption of a local  
19 control and accountability plan or annual update to a local control  
20 and accountability plan, the governing board of a school district  
21 shall file the local control and accountability plan or annual update  
22 to the local control and accountability plan with the county  
23 superintendent of schools.

24 (b) On or before August 15 of each year, the county  
25 superintendent of schools may seek clarification, in writing, from  
26 the governing board of a school district about the contents of the  
27 local control and accountability plan or annual update to the local  
28 control and accountability plan. Within 15 days the governing  
29 board of a school district shall respond, in writing, to requests for  
30 clarification.

31 (c) Within 15 days of receiving the response from the governing  
32 board of the school district, the county superintendent of schools  
33 may submit recommendations, in writing, for amendments to the  
34 local control and accountability plan or annual update to the local  
35 control and accountability plan. The governing board of a school  
36 district shall consider the recommendations submitted by the county  
37 superintendent of schools in a public meeting within 15 days of  
38 receiving the recommendations.

39 (d) The county superintendent of schools shall approve a local  
40 control and accountability plan or annual update to a local control

1 and accountability plan on or before October 8, if he or she  
2 determines all of the following:

3 (1) The local control and accountability plan or annual update  
4 to the local control and accountability plan adheres to the template  
5 adopted by the state board pursuant to Section 52064.

6 (2) The budget for the applicable fiscal year adopted by the  
7 governing board of the school district includes expenditures  
8 sufficient to implement the specific actions and strategies included  
9 in the local control and accountability plan adopted by the  
10 governing board of the school district, based on the projections of  
11 the costs included in the plan.

12 (3) The local control and accountability plan or annual update  
13 to the local control and accountability plan adheres to the  
14 expenditure requirements *adopted* pursuant to Section 42238.07  
15 for funds apportioned on the basis of the number and concentration  
16 of unduplicated pupils pursuant to Sections 42238.02 and 42238.03.

17 (e) If a county superintendent of schools has jurisdiction over  
18 a single school district, the Superintendent shall designate a county  
19 superintendent of schools of an adjoining county to perform the  
20 duties specified in this section.

21 SEC. 15. Section 52070.5 of the Education Code is amended  
22 to read:

23 52070.5. (a) Not later than five days after adoption of a local  
24 control and accountability plan or annual update to a local control  
25 and accountability plan, the county board of education shall file  
26 the local control and accountability plan or annual update to the  
27 local control and accountability plan with the Superintendent.

28 (b) On or before August 15 of each year, the Superintendent  
29 may seek clarification, in writing, from the county board of  
30 education about the contents of the local control and accountability  
31 plan or annual update to the local control and accountability plan.  
32 Within 15 days the county board of education shall respond, in  
33 writing, to requests for clarification.

34 (c) Within 15 days of receiving the response from the county  
35 board of education, the Superintendent may submit  
36 recommendations, in writing, for amendments to the local control  
37 and accountability plan or annual update to the local control and  
38 accountability plan. The county board of education shall consider  
39 the recommendations submitted by the Superintendent in a public  
40 meeting within 15 days of receiving the recommendations.

1 (d) The Superintendent shall approve a local control and  
2 accountability plan or annual update to a local control and  
3 accountability plan on or before October 8, if he or she determines  
4 all of the following:

5 (1) The local control and accountability plan or annual update  
6 to the local control and accountability plan adheres to the template  
7 adopted by the state board pursuant to Section 52064.

8 (2) The budget for the applicable fiscal year adopted by the  
9 county board of education includes expenditures sufficient to  
10 implement the specific actions and strategies included in the local  
11 control and accountability plan adopted by the county board of  
12 education, based on the projections of the costs included in the  
13 plan.

14 (3) The local control and accountability plan or annual update  
15 to the local control and accountability plan adheres to the  
16 expenditure requirements *adopted* pursuant to Section 42238.07  
17 for funds apportioned on the basis of the number and concentration  
18 of unduplicated pupils pursuant to Sections 2574 and 2575.

19 SEC. 16. Section 52071 of the Education Code is amended to  
20 read:

21 52071. (a) If a county superintendent of schools does not  
22 approve a local control and accountability plan or annual update  
23 to the local control and accountability plan approved by a  
24 governing board of a school district, or if the governing board of  
25 a school district requests technical assistance, the county  
26 superintendent of schools shall provide technical assistance,  
27 including, among other things, any of the following:

28 (1) Identification of the school district's strengths and  
29 weaknesses in regard to the state priorities described in subdivision  
30 (d) of Section 52060, communicated in writing to the school  
31 district. This identification shall include a review of effective,  
32 evidence-based programs that apply to the school district's goals.

33 (2) Assignment of an academic expert or team of academic  
34 experts to assist the school district in identifying and implementing  
35 effective programs that are designed to improve the outcomes for  
36 all pupil subgroups identified pursuant to Section 52052. The  
37 county superintendent of schools may also solicit another school  
38 district within the county to act as a partner to the school district  
39 in need of technical assistance.

1 (3) Request that the Superintendent assign the California  
2 Collaborative for Educational Excellence to provide advice and  
3 assistance to the school district.

4 (b) Using an evaluation rubric adopted by the state board  
5 pursuant to Section 52064.5, the county superintendent of schools  
6 shall provide the technical assistance described in subdivision (a)  
7 to any school district that fails to improve pupil achievement across  
8 more than one state priority described in subdivision (d) of Section  
9 52060 for one or more pupil subgroups identified pursuant to  
10 Section 52052.

11 (c) Technical assistance provided pursuant to this section at the  
12 request of a school district shall be paid for by the school district  
13 requesting the assistance.

14 SEC. 17. Section 52071.5 of the Education Code is amended  
15 to read:

16 52071.5. (a) If the Superintendent does not approve a local  
17 control and accountability plan or annual update to the local control  
18 and accountability plan approved by a county board of education,  
19 or if the county board of education requests technical assistance,  
20 the Superintendent shall provide technical assistance, including,  
21 among other things, any of the following:

22 (1) Identification of the county board of education's strengths  
23 and weaknesses in regard to the state priorities described in  
24 subdivision (d) of Section 52066, communicated in writing to the  
25 county board of education. This identification shall include a  
26 review of effective, evidence-based programs that apply to the  
27 board's goals.

28 (2) Assignment of an academic expert or team of academic  
29 experts, or the California Collaborative for Educational Excellence  
30 established pursuant to Section 52074, to assist the county board  
31 of education in identifying and implementing effective programs  
32 that are designed to improve the outcomes for all pupil subgroups  
33 identified pursuant to Section 52052. The Superintendent may also  
34 solicit another county office of education to act as a partner to the  
35 county office of education in need of technical assistance.

36 (b) Using an evaluation rubric adopted by the state board  
37 pursuant to Section 52064.5, the Superintendent shall provide the  
38 technical assistance described in subdivision (a) to any county  
39 office of education that fails to improve pupil achievement in  
40 regard to more than one state priority described in subdivision (d)

1 of Section 52066 for any pupil subgroup identified pursuant to  
2 Section 52052.

3 (c) Technical assistance provided pursuant to this section at the  
4 request of a county board of education shall be paid for by the  
5 county board of education receiving assistance.

6 SEC. 18. Section 54030 is added to the Education Code, to  
7 read:

8 54030. A local educational agency shall expend unexpended  
9 economic impact aid balances received pursuant to this part only  
10 for purposes authorized in this part as it and adopted regulations  
11 read on June 30, 2013.

12 *SEC. 19. (a) Section 2.5 of this bill incorporates amendments*  
13 *to Section 42127 of the Education Code proposed by both this bill*  
14 *and Assembly Bill 103. It shall only become operative if (1) both*  
15 *bills are enacted and become effective on or before January 1,*  
16 *2014, (2) each bill amends Section 42127 of the Education Code,*  
17 *and (3) this bill is enacted after Assembly Bill 103, in which case*  
18 *Section 2 of this bill shall not become operative.*

19 *(b) Section 4.5 of this bill incorporates amendments to Section*  
20 *52052 of the Education Code proposed by both this bill and*  
21 *Assembly Bill 484. It shall only become operative if (1) both bills*  
22 *are enacted and become effective on or before January 1, 2014,*  
23 *(2) each bill amends Section 52052 of the Education Code, and*  
24 *(3) this bill is enacted after Assembly Bill 484, in which case*  
25 *Section 4 of this bill shall not become operative.*

26 *(c) Section 5.5 of this bill incorporates amendments to Section*  
27 *52060 of the Education Code proposed by both this bill and*  
28 *Assembly Bill 103. It shall only become operative if (1) both bills*  
29 *are enacted and become effective on or before January 1, 2014,*  
30 *(2) each bill amends Section 52060 of the Education Code, and*  
31 *(3) this bill is enacted after Assembly Bill 103, in which case*  
32 *Section 5 of this bill shall not become operative.*

33 *(d) Section 10.5 of this bill incorporates amendments to Section*  
34 *52066 of the Education Code proposed by both this bill and*  
35 *Assembly Bill 103. It shall only become operative if (1) both bills*  
36 *are enacted and become effective on or before January 1, 2014,*  
37 *(2) each bill amends Section 52066 of the Education Code, and*  
38 *(3) this bill is enacted after Assembly Bill 103, in which case*  
39 *Section 10 of this bill shall not become operative.*

1     ~~SEC. 19.~~

2     *SEC. 20.* If the Commission on State Mandates determines that  
3 this act contains costs mandated by the state, reimbursement to  
4 local agencies and school districts for those costs shall be made  
5 pursuant to Part 7 (commencing with Section 17500) of Division  
6 4 of Title 2 of the Government Code.

O